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OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

September 13, 1955

Attached is a pamphlet entitled
"Dan Smoot Speaks," which makes
reference to the Director and to
the Bureau on pages 7 and 8.

Smoot is a former Agent, EOD
3-23-42 and resigned 6-15-51.
During the course of an inspection
of the Dallas Office in 1951, Smoot submitted a memo
setting out certain criticisms of the SAC and was
critical of the manner in which the SAC conducted an
inquiry into certain complaints which had been made
against a former Special Agent, who was formerly
assigned to the Dallas Office. It was determined that
such criticisms on the part of Smoot were entirely
unwarranted. He was placed on probation and
transferred from the Dallas Office. Shortly
thereafter he resigned.

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Mr. Boardman ☒
Mr. Nichols ☒
Mr. Belmont ☒
Mr. Harbo ☒
Mr. Mohr ☒
Mr. Parsons ☒
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Miss Gandy ☒

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Dan Smoot Speaks

Volume 1, No. 7

Friday, August 26, 1955

Dallas, Texas



DAN SMOOT

THE VAN FOSSEN CASE

American Communists are presently jubilant about a number of things.

Agitating for a Big Four Conference had been a number one activity of American Communists for more than two years. In July, they finally achieved their goal when President Eisenhower went to Geneva.

For many years, the Communists have been vilely slandering all ex-Communists who were trying to atone for their past crimes by giving information to official investigators. The Communists have been demanding that Governmental agencies fire all ex-Communists and refrain from using any of them in trials and other proceedings against Communists.

The Communist demands have now been met. Practically all ex-Communists whom the government had been using as experts and witnesses to expose Communist treason have been dismissed.

The Communists have been ordering the United States Courts and the United States Department of Justice to drop all legal proceedings against individuals accused of Communist or pro-Communist activities.

Here again, the little band of shabby traitors who run the Communist Party, USA, have enjoyed miraculous success.

Outspoken anti-Communists are being purged from the Government service, in order to achieve the quiet harmony necessary for peaceful co-existence.

All in all, 1955 has been a good year for American Communists; and it promises to get better.

Next month — on September 2 — Rea S. Van Fossen will be arraigned in a Federal District Court in Washington, D. C. A Federal Grand Jury has returned an indictment in eight counts against Von Fossen. The Department of Justice — while meekly backing out of cases against Communists and fellow travelers — is showing strong determination to push the case against Van Fossen to the limit. The limit could put Van Fossen in a federal prison for thirty-four years.

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Who is Van Fossen?

Rea S. Van Fossen is a 36-year-old decorated veteran of World War II, who served twelve years honorably in Air Force Intelligence.

What did Van Fossen do?

He showed the House Un-American Activities Committee a confidential Air Force Report on Jay Lovestone.

Jay Lovestone

Who is Jay Lovestone?

Lovestone was one of the original organizers of the American Communist Party in 1916. He was intimately acquainted with Stalin; but, in 1929, he had a policy dispute with Stalin.

Lovestone did not turn against Communism itself. He merely objected to Stalin's nationalism. He thought that the Communist parties of the various nations of the world should be on a par with the Communist Party of Russia.

Jay Lovestone, head of the American Communist Party, thought that he should be the equal of Joseph Stalin, head of the Communist Party of Russia.

Hence, Lovestone was kicked out of the party. But Lovestone, by his own admission, remained a dedicated believer in the world wide revolutionary program of Marx and Lenin.

Jay Lovestone is Executive Secretary of the Free Trade Union Committee of the American Federation of Labor.

About four years ago, Westbrook Pegler called attention to the fact that Jay Lovestone was in and out of Europe on some kind of mysterious mission for the United States Government. Half-hearted and evasive remarks wrung from various federal officials indicate that Lovestone's mission may be to instruct the workers of Europe in the techniques and

philosophy of American trade unionism. Lovestone's mission is a project of the Central Intelligence Agency.

All of this is called anti-Communist activity, and your government is financing it with your tax money. To be specific, it is estimated that your government has already spent some three million dollars of your tax money on Jay Lovestone's anti-Communist activities in Europe.

When word got around Capitol Hill that Jay Lovestone—one of the most dedicated old-time Communist revolutionaries in America—was on the payroll of the super-secret, super-sensitive CIA, engaged in work that was called anti-Communist activity, a few Congressmen and Senators became curious about the whole affair. But around Washington, as Joe McCarthy found out, curiosity about the CIA is not advisable.

The Untouchable CIA

Joe once developed a curiosity about the CIA. But when he suggested an investigation, he came under the heaviest attack of his career. All of the big guns of the Communist and liberal press of America were trained on Joe. The mighty salvos that they simultaneously fired at McCarthy were so deafening that nothing else could be heard.

From the chief editorial writer of the Communist Party's *Daily Worker* to Walter Lippmann of the New York *Herald-Tribune*; from the *Post* in Washington, D. C. to the *Post* in Denver, Colorado; from the *Courier-Journal* in Louisville to the *Post-Dispatch* in St. Louis; from Walter Reuther's *CIO News* to Max Ascoli's *Reporter*; from the august *New York Times* to the scurvy Communist *People's World* on the West Coast—Joe McCarthy was blasted as a scoundrel and a black-guard for even mentioning an investigation of the CIA.

The CIA is necessarily a sacred cow to all communists, socialists, fascists, and totalitarian liberals, because the CIA is a perfect prototype for all governmental agencies in the brave new socialist society which we are building in America.

The CIA's budget and operations are entirely confidential. The CIA gives no accounting of itself to the American people. It gives none to the Congress which appropriates its funds.

The CIA director (presently, Allen Dulles, brother of the Secretary of State) merely tells Congress each year how much money he wants. Congress gives the money and asks no questions.

And this is done in the interest of preserving the American Republic!

HUAC Investigation

While the noisy barrage about McCarthy's taking the sacrosanct CIA's name in vain was in full thunder, quiet inquiries were being made in Washington about the Jay Lovestone mystery. Some, apparently got very close to something they were not supposed to see.

The House Un-American Activities Committee, for example, started digging around to find out what Jay Lovestone is actually doing. This Committee, like all others, ran into the presidential gag order which prohibits congressional investigators from getting information about Communists or Communist activities in the executive agencies or in the military services.

But Courtney Owens, chief investigator of the House Un-American Activities Committee, showed resourcefulness. Owens remem-

bered that he had a friend, Rea S. Van Fossen, who was a lieutenant in Air Force Intelligence.

Maybe Air Force Intelligence had some information about Jay Lovestone's activities; and maybe Lt. Van Fossen would confidentially make that information available to the Committee—inasmuch as a Congressional Committee is authorized by law to receive classified information.

Air Force Intelligence had information about Jay Lovestone, all right. It had a 113-page report on him, in fact. Van Fossen showed the report to Courtney Owens. The public does not yet know—and probably never will know—what is in that report; but it is whispered that the report contains information about Lovestone's connections with high government officials.

Somehow, the Air Force found out about what Lt. Van Fossen did.

Van Fossen was forced to resign his commission and was fired for giving confidential information to the House Un-American Activities Committee.

The House Committee promptly made amends to Van Fossen by giving him a job as an investigator.

But not for long.

That was in November, 1954. In January, 1955, when the Democrats took control of Congress, Van Fossen was fired from the House Committee job.

The man is thirty-six years old and has spent most of his adult life in highly specialized government service. Not very many occupations are open to him.

His wife went to work to help him support their two small children. She worked as a

waitress until her health failed. For the past eight months, Van Fossen has been making a living as a house-to-house peddler in Washington.

Compare his plight with that of Alger Hiss. When Hiss was released from Federal prison, he was offered a number of lucrative positions. Hiss was a traitor to his country.

Van Fossen is a patriot. When he gave confidential information to a Congressional Committee, he thought he was serving his country's best interest.

Van Fossen is, doubtless, less sophisticated than others in higher places at Washington. To him, peaceful co-existence is probably a very complicated concept.

To him, Communists are the deadly enemies of this nation. The Communist leaders whom it is now fashionable for us to grin at and be cordial with were responsible for 140,000 American casualties in Korea. They were responsible for the barbarism which brought death, torture, brainwashing, and degradation to thousands of American boys.

Apparently, in the uncomplicated opinion of Rea S. Van Fossen, every Communist, Communist sympathizer, and Marxian socialist in the United States or anywhere else in the world is a party to the inhuman crimes which have been committed and are still being committed by Communists all over the earth.

When Lt. Van Fossen was obliged to choose between two loyalties, his choice probably seemed simple to him.

On the one hand, he had an obligation of loyalty to a presidential order which forbade his giving got confidential information.

On the other hand, he had an obligation of loyalty to his country—to help a duly author-

ized committee of Congress which was trying to find out about a possible Communist traitor inside a sensitive security agency of the Government.

Obviously, Van Fossen made the wrong choice.

The significant thing is that in this era of leniency and good feeling toward Communists, there is no sign of leniency toward this man who was following what he regarded as a call of patriotism.

Edward Bennett Williams, prominent Washington attorney, has offered his services free to Van Fossen; but no noisy civil liberties committee has been organized to defend him. For the most part, the nation's press has ignored him.

It is obvious that the powers on high have decided to make an example of Van Fossen—to hold him up as a warning to any other anti-Communists who may still be lurking in the Executive branch of Government and who might be tempted to help Congress in the fight against Communism.

Kit Clardy, former Congressman from Michigan and a member of the House Un-American Activities Committee, summed up the case in these words:

"The military have ruined this man's career by persecuting him for helping a Congressional Committee which is authorized by law to receive classified information. Now, the government seeks to jail him. He is a defenseless and helpless little man; but I think he will find an aroused public opinion coming to his aid."

Perhaps.

It is dangerous business to advocate the making of judicial decisions in response to public pressure. But the Supreme Court, dur-

ing the past eighteen years, has rather firmly established the precedent for this kind of justice in the United States.

If we must have justice based on public opinion and the whims of the judges—rather than on the Constitution and law—why shouldn't some of it favor patriots and anti-Communists?

* * *

Institute of Pacific Relations

Rea S. Van Fossen has not been indicted for giving confidential information to a Congressional Committee. He has been indicted for giving a false official report. In other words, when Lt. Van Fossen was put under oath and questioned about giving information to the Congressional Committee, he allegedly lied—denying that he had given the information.

Thus, his case, legally, is very similar to the case against Owen Lattimore.

The Government dropped its perjury case against Owen Lattimore before ever bringing it to trial. The full significance of this cannot be understood without some knowledge of the truly terrifying situation which gave rise to the Lattimore case.

Let's briefly review the facts and keep them in mind, while watching the Van Fossen case in the months ahead.

The Institute of Pacific Relations was founded in 1925 by a group of business, educational, and religious leaders.

The IPR has played a more important role than any other American organization in disseminating information, shaping public opin-

ion, and influencing government policy in Asia.

Millions of IPR publications have been standard materials in most American colleges and in thirteen hundred public school systems. For over twenty years, the IPR influenced directly or indirectly the selection of Far Eastern scholars for important teaching posts in colleges and universities.

With the advent of World War II, the Government leaned heavily on the IPR for help in recruiting people with knowledge of the Far East.

Millions of IPR publications were distributed among the Armed Forces as indoctrination material.

The Institute of Pacific Relations was—and on a drastically reduced basis, still is—financed by grants from great American foundations like Rockefeller and Carnegie and gifts from large corporations and wealthy business men.

With increasing frequency during the post war years, rumblings were heard that, despite its enviable reputation and respectable façade—despite the fact that a great majority of its members were Americans whose patriotism and integrity were beyond question—the IPR was actually a Communist front.

Ultimately, these allegations resulted (in 1951 and 1952) in a massive and scholarly investigation by a Senate subcommittee under the chairmanship of the late Senator Pat McCarran of Nevada.

The Senate subcommittee concluded that the IPR was an important transmission belt for Soviet propaganda and a vehicle for Soviet espionage in the United States. The subcommittee also concluded that Owen Lattimore was the guiding light of the IPR during its most important years.

The Senate investigation of the IPR was predicated on the assumption that United States diplomacy had never suffered a more disastrous defeat than in its failure to avert the Communist conquest of China.

A primary objective of our war against Japan was to save China from conquest. To that end, we sacrificed 325,000 American men in the savage Pacific war.

Yet, almost before the guns had cooled, China had fallen to an alien power more brutal and more deadly dangerous to American security than Japan.

This catastrophe led to the futile war in Korea where thousands of young Americans paid with their lives for the mistakes in our diplomacy.

The incredible success of the Soviet Fifth Column in shaping American Far Eastern policy is attributable largely to a small group of Communists and Russian spies who converted the Institute of Pacific Relations into a front for controlling and conditioning American thought.

Alger Hiss, closely tied in with the IPR conspirators during his long and influential career in government service, became a trustee of the IPR after his resignation from the State Department. The secret information which Hiss delivered to a Russian spy ring in the 1930's kept the Soviets apprized of American activity in the Far East.

Lauchlin Currie, Administrative Assistant to President Roosevelt; and Harry Dexter White, Under-secretary of the Treasury, both had the same strong connections with IPR that Hiss had. Both channeled important secret information into Soviet military intelligence.

It was Lauchlin Currie who tipped the Russians off that the United States was about to break the Soviet code.

It was Harry Dexter White who devised the plan whereby the Treasury Department would exchange secret and classified information with all other sensitive agencies — FBI, Military Intelligence, Naval Intelligence: all of them. This plan enabled White to obtain and pass on to the Russians all of our government's top secrets.

It was Alger Hiss and John Carter Vincent who managed to get the State Department's post-war planning policy into the hands of Communists or fellow travelers in or from the IPR, and it was Hiss and Vincent who arranged a series of conferences with these same IPR people to help Hiss prepare the agenda for the United Nations Founding Conference in San Francisco in 1945.

It was John Carter Vincent and Owen Lattimore—primarily—who originated the idea of the Marshall mission to China in 1945 and wrote the memorandum on which General Marshall's directive was based.

The success—from the Communist point of view—of the Marshall mission to China climaxed years of strenuous and continuous effort on the part of the Soviet Fifth Column working under the respectable cloak of the Institute of Pacific Relations in the American government and throughout American life.

The International Communist conspirators captured leading intellectuals and opinion-formers in America by posing as liberal and progressive thinkers.

Thanks to the host of gullible scholars, professors, college presidents, preachers, doctors, lawyers, school teachers, political experts,

radio commentators, government officials, and wealthy business men who were too uninformed or too careless to understand that they were serving the Soviet Union and betraying America, the little group of Communists and Russian spies who ran the IPR were able to get their hands on the levers which control in America the dissemination of information, the molding of public opinion, and the shaping of public policy on Far Eastern affairs.

The Senate subcommittee concluded that Owen Lattimore, the dominant figure of the IPR during its heyday, was a "conscious, articulate instrument of the Soviet conspiracy" for a number of years.

Lattimore spent many hours before the Senate subcommittee, testifying under oath. When it was over, the subcommittee sent a transcript of his testimony to the Department of Justice, pointing out numerous instances where, the Senators claimed, Lattimore had perjured himself.

Lattimore was finally indicted for perjury on seven counts.

One by one, the counts were thrown out by the Court, altered, or dropped—until there were none.

The Senate investigation did thoroughly discredit the IPR and dry up most of the sources of its contributions. But it cannot be said that the work which the IPR was doing has really been halted.

Last year the IPR officials discussed—but did not act upon—a proposal that the IPR be disbanded. The IPR officials said that UNESCO (the United Nations Educational, Scientific, and Cultural Organizations) is now doing what the IPR used to do anyway—and

is doing it better, because UNESCO, an international, governmental agency is not dependent on voluntary private contributions and is not subject to political pressures or public opinion.

Amerasia

The *Amerasia* case is another one that we should keep in mind while watching the Van Fossen case.

Amerasia was a little magazine published by members of the Institute of Pacific Relations. Its editor was Philip Jaffe, who was known as a heavy financial contributor to the Communist party. The associate editor was Kate Mitchell.

In February, 1945, an Office of Strategic Services Far East analyst, while reading a copy of *Amerasia*, noticed that the magazine contained verbatim passages from a secret OSS report which he himself had prepared.

One Sunday night in March, 1945, a team of OSS men—most of them former FBI agents—searched the *Amerasia* offices. In one room they found equipment for doing large-volume photographic copying—not the sort of a set-up a little magazine with only 2,000 subscribers would be likely to have.

Philip Jaffe's desk was covered with originals and freshly made photo copies of numerous secret documents—from State Department, Navy, Army, and other sensitive agencies. There were hundreds of documents from nearly every department of the government—documents whose mere possession was a serious federal offense.

Following this initial search by the OSS, the *Amerasia* case was turned over to J. Edgar

Hoover and the FBI. Some 75 FBI agents were put on the investigation.

On May 31, 1945, the FBI agent in charge, testified before a secret session of the Hobbs subcommittee. He brought with him the evidence — 1,700 stolen documents. These included the bombing plan for Japan, A-bomb documents, and the order of battle of the Chinese Nationalist forces.

Six days later, on June 6, six people were arrested and charged with violation of the Espionage Act: Philip Jaffee, Kate Mitchell, Mark Gayn, John Stewart Service, Emmanuel Larsen, and Andrew Roth.

The story broke in the newspapers on June 7, 1945. Acting Secretary of State Joseph Grew, made a statement to the press:

"Officers of the Department of State have for some time been giving special attention to the security of secret and confidential information. A few months ago it became apparent that information of a secret character was reaching unauthorized persons.... A comprehensive program is to be continued unrelentingly to stop this illegal and disloyal conveyance. . . . The matter is now in the hands of the Department of Justice for prosecution."

The Communist *Daily Worker*, and the 'liberal' papers which always echo the *Daily Worker*, opened a vicious campaign of abuse and vilification against Mr. Grew. He and J. Edgar Hoover were called "witch hunters," and the FBI was subjected to one of the most determined smear campaigns in its history.

Then the Assistant Attorney General decided the documents were not very important after all—that the *Amerasia* people were just overzealous journalists. The government prosecutor accepted this view. And this is the way the Justice Department presented the case.

Only Roth, Larsen, and Jaffe were indicted by the grand jury. Service, Gayn, and Mitchell were not indicted. Then the Justice Department made a deal with Jaffe's lawyer. In the end Jaffe was fined \$2,500—just half the amount of his yearly contribution to the Communist Party. Larsen was fined \$500, which Jaffe paid. Roth, who was not even fined, began writing for *The Nation*. Joseph Grew resigned from the State Department shortly thereafter, and the pro-Communists took over.

It's hard — very hard — for government prosecutors to make a case against the Communists.

Let's watch and see how they make out against an anti-Communist.

* * *

Ante-Script on 1956

Political prophets are propheysing. Next year, many of them are saying, the fight will be between Dwight D. Eisenhower and that died-in-the-wool New Deal Democrat, governor of New York, Averell Harriman.

If so, it will be a titantic struggle.

Ike's opinion of Averell is already a matter of record. Here is what Ike says about him (p. 460, *Crusade in Europe*):

"Upon arrival in Moscow we were housed at the American Embassy with my good friend Averell Harriman, who was then Ambassador. His hostess was his charming daughter Kathleen. During a long war association I had formed a high opinion of Mr. Harriman's abilities and public-spirited attitude and was delighted to have him as my mentor and guide, during an important visit to a country in which I was a complete stranger."

SMOOT, DAN SPEAKS

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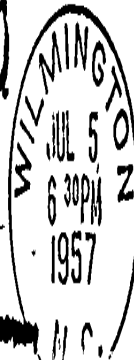
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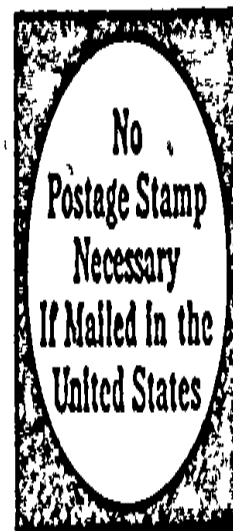
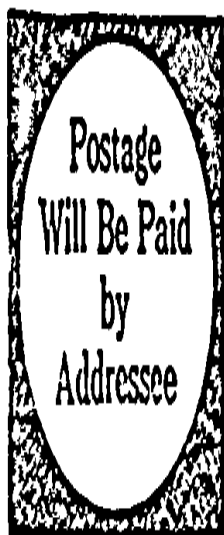
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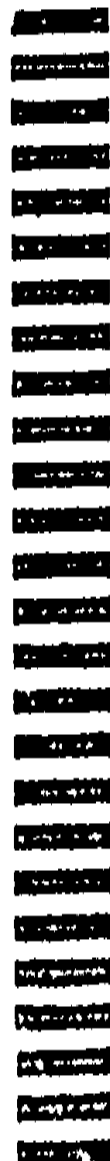
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THE

Dan Smoot Report

Vol. 2, No. 31

Friday, August 3, 1956

Dallas, Texas



DAN SMOOT

FULL CIRCLE

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On July 31, 1956, the United States, Britain, and France jointly agreed to warn Egypt against tampering with Suez Canal traffic — indicating that they would even take military action against Egypt if necessary.

The Suez canal was built in the 1850's and 1860's by a French engineer, financed largely by French private capital — and against the objections of the British government.

Once the canal was completed, however, the British were its biggest users. The British ultimately bought controlling stock in the Suez canal company.

For years prior to the 1950's British troops occupied a narrow strip along the canal, overseeing the administration of the canal, to keep it operating as an international waterway.

With the rising tide of Egyptian nationalism following World War II, the British came under heavy pressure to get their troops out of the Suez canal zone in order to permit Egyptian troops to police this international waterway in Egypt.

The American government was among the foremost in urging England to get out of Egypt.

Whether the British should have got out or stayed in was, of course, something that America should not have meddled in.

But international meddling having become the cornerstone of our foreign policy since 1945, we played what our internationalists imagined was a shrewd game of international politics.

The entire Mohammedan world was aflame with hatred of America because of our support of the State of Israel. The communists fanned this hatred by telling the Egyptians and other Mohammedan peoples that America was supporting the hated colonial powers — France and England — against the legitimate national interests of the colonial peoples in Africa and elsewhere.

By urging the British to get out of Egypt, we sought to curry favor with the Egyptians

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and prove that we really believed in the principle of self-determination for all peoples.

But that wasn't enough.

The Egyptians wanted us to give them several hundred million dollars for a power and irrigation dam at Aswan on the Nile River.

Our internationalists wanted to do it immediately, of course; but the thing dragged for a few years because it was becoming increasingly difficult for the administration to sell Congress on such mammoth foreign give-away projects.

Egypt's aggressive young dictator — Premier Nasser — became impatient. He threatened to get money for the Aswan dam from Russia if we didn't come through with it at once.

This was, of course, an absurd situation.

By our own policies, we had maneuvered ourselves into such a position that a foreign nation felt justified in demanding gifts and loans.

Most observers felt that the threat of Soviet "economic competition" would be just the propaganda whip needed to stampede us into making the Aswan "loan" to Egypt.

But a strange thing happened — strange, that is, in these days when it is established American policy to give American tax money to practically any foreign government on earth that asks for it.

Our State Department rather tersely announced that we were not interested in financing Egypt's Aswan dam.

This, unquestionably, was a wise decision for our government to make. But it is doubtful that our State Department made it because of any tender concern for America's taxpayers or for America's own national interest. It is highly probable that we turned down the Egyptian Aswan dam project primarily because of pressures from the Israeli government.

At any rate, we turned it down — as we should have done — and let Nasser know that if he could get money from the communists he was welcome to it.

Nasser could not, of course, get such sums from the communists, despite their promises; and Nasser was furious.

In retaliation, he seized the privately-owned Suez Canal and "nationalized" it — proclaimed it the property of the Egyptian government and said that he would use revenue from the canal to build his Aswan dam.

Now, our meddling policy of buying "friends" has brought us full circle.

Having pressured the British to get their troops out of Egypt, we are now threatening to send ours in.

Once again, we are on the verge of using drafted American soldiers to fight somebody else's war for somebody else's benefit on the other side of the world.

Why can we not return to America's traditional foreign policy of minding our own business and permitting other nations to solve their own problems in their own way?

* * * * *

DOMESTIC AID

Thomas E. Dewey, prominent attorney, former governor of New York and twice Republican candidate for the presidency has one highly profitable account that is now a matter of public record. Dewey is on a large retainer from the government of Turkey, to help Turkey get a big loan from the United States Government. Turkey paid Dewey \$75,000 for his services in 1955.

Another prominent attorney, Dean Acheson, former Democratic Secretary of State under Truman, also has some good clients of the same kind. In 1955, Dean Acheson's law

firm collected \$215,140 from the government of Pakistan for services rendered in obtaining United States Government loans and gifts for Pakistan.

That's a big fee, but Acheson was worth it to his client. In 1954, the State Department quadrupled the American foreign aid allotment to Pakistan, raising it from 25 million dollars in economic aid to 105 million dollars in economic aid — not to mention an additional 50 million dollars in military aid.

There is a long list of former American governmental officials and politicians with heavy influence in Washington who serve as agents for foreign governments, collecting huge fees for their services in getting American foreign aid and loans for those governments.

In its recent report to Congress on the administration of the Foreign Agents Registration Act for the calendar year 1955, the Department of Justice revealed the names of several notables who are enriching themselves by using their influence and "know-how" to get American tax money for foreign governments.

The firm of Oscar Chapman, former Democratic Secretary of the Interior, received \$27,498 from Mexico.

Leon Keyserling, Truman economist, received \$4500 from France.

Former Senator James E. Kem, Republican from Missouri, received \$10,000 from Cuban sugar interests.

The public relations firm of Edward W. Barrett (Acheson's former assistant Secretary of State) received \$70,000 from the Suez Canal Company and from the Japanese government.

John B. Adams, former defense department public relations officer, received \$16,900 from Pakistan and \$1250 from Laos.

The law firm of Thurman Arnold, Abe

Fortas and Paul Porter received \$10,000 from Germany. Thurman Arnold was formerly an assistant Attorney General. Abe Fortas was an assistant to the late Harold Ickes in the Department of Interior. Paul Porter was formerly Federal Price Administrator.

Charles Patrick Clark, former counsel for Truman's Senate committee and now associated with Franklin D. Roosevelt, Jr. in the practice of law, received \$89,999 from Spain.

The law firm of William J. Donovan, former head of the Office of Strategic Services, received \$51,597 from Thailand.

Edward K. Moss, former press agent for the National Production Administration, got \$2500 from Liberia.

A law firm (Pehle, Lesser, Mann, Riemer & Luxford) headed by two men who were aids to Henry Morgenthau when Morgenthau was Secretary of the Treasury, got \$12,000 from Yugoslavia.

And so on.

The figures reveal that Dean Acheson is the biggest operator of them all. His law firm's reported receipts from foreign governments in 1955 totaled \$304,770 — from Pakistan, Denmark, Canada, and Columbia.

Dean Acheson has had more experience than the others, and he has, of course, better contacts in the State Department: most of his old appointees are still there.

Acheson became Secretary of State in January, 1949. Within two years, his firm had collected over \$235,000 from foreign governments for its services in getting the State Department to approve loans and gifts to those governments.

But Acheson's experience in getting American tax money for foreign governments, with big fees for his law firm as part of the consideration, goes back further than 1949.

Consider these paragraphs from an article entitled "Freedom's Case Against Dean Ache-

son," written by Dr. Felix W. Wemer, and published in the April, 1952, issue of the *American Mercury*:

"In 1946 the Soviet satellite government of Poland applied to the United States for a loan of \$90,000,000. Acheson was then Under Secretary of State and, on occasion, Acting Secretary of State. And what law firm did the Reds retain to get the loan? The Acheson firm, with Donald Hiss assigned directly. (Donald Hiss is the brother of Alger Hiss.)

"Our ambassador to Poland, Arthur Bliss Lane, pleaded with the State Department *not* to approve the loan. Mr. Lane pointed out that American citizens were being mistreated in Poland; that the Red terror was destroying all freedom. 'With the greatest earnestness of which I am capable,' Mr. Lane declared, 'I beg the department not to approve the extension of any credits at this time.'

"On April 24, 1946, Acting Secretary of State Dean Acheson announced that the loan, to be made through the Export-Import Bank, had been approved. The fee paid by the Communists through the puppet government of Poland to the Acheson law firm was \$51,653.98.

"The loan was used to consolidate Soviet control of Poland; and in 1949 when he heard that Acheson had been appointed Secretary of State, Mr. Lane declared: 'God help the United States!'"

These facts help to explain the enthusiasm which all these statesmen, former and present, have for American foreign aid.

When they parrot President Eisenhower's argument that giving foreign aid promotes "our own enlightened self-interest" they really mean it.

For several years now, thousands of baffled and burdened American taxpayers have been saying:

"Every way you look at it, foreign aid ap-

pears to be ridiculous, unconstitutional, harmful, and wrong. But surely there is something good in it, because all of the nation's top leaders are for it."

How many influential Americans are making money and acquiring power through America's foreign aid programs?

How many labor leaders want foreign aid programs because the government spending which these programs necessitate puts the government in virtual control of key industries? Haven't most of our top labor bosses clearly revealed that they want government domination of industry, knowing that an industry under political control is susceptible to the powerful political influence which the labor bosses can exert?

How many businesses want foreign aid to continue, even while knowing it is wrong, merely because foreign aid buying brings them lush government contracts?

How many thousands of government officials and miscellaneous government employees use their influence to perpetuate our foreign aid programs because the programs provide them with pleasant jobs, foreign travel, good pay, influence, and prestige?

In the latter part of July, the foreign staff of the *Chicago Tribune* met in conference at London.

The Paris Bureau Chief was asked:

"What about the American foreign aid program? Do you think it is necessary?"

He replied:

"Emphatically, no. And it's not just my opinion, either. I have talked with scores of American officials employed here by the United States government in the various or-

gans which handle foreign and virtually every one has admitted privately and confidentially, that it is 'rightly called 'operation rat hole.'

" 'But don't quote me,' they say, 'or I would be out in the street tomorrow.'

"Gen. Eisenhower lived in France for several years; State Secretary Dulles has made countless trips to Europe; the government has ambassadors, consuls, special agents, and mission all over the place, but none have chosen to see the uselessness of the give-away policy. Newspapers and magazines in Europe certainly give them the facts if they will read them, as in the recent article in the French weekly *Match* on, 'Why Americans are Despised in Europe.'

"Governments, officially, welcome these billions of American gift dollars because the money helps their budgets without resorting to taxation. They are naturally willing that the American taxpayer shoulder this burden."

At any rate, it may be comforting to some American taxpayers to know that all of our foreign aid is not foreign. Some of it is domestic aid: it goes right into the pockets of real Americans.

* * * * *

NATO

When NATO, the North Atlantic Treaty Organization, was formed in 1949, our leaders acted as if Utopia had arrived. The nations of the free world were now welded together, we were told, and were standing, inseparable, to resist Soviet aggression. A great paper army of Europeans under a unified command was created. General Eisenhower was sent to Europe to get things going. Mr. Acheson and Mr. Truman congratulated each other profusely.

The air waves and the editorial pages were filled with lofty expressions about the death of isolationism and a new era of permanent, determined, international cooperation among the freedom-loving Western nations.

A few courageous men in Congress objected to stationing American troops in Europe, but Truman and Acheson brushed that aside, saying that we were going to send only a token force in order to show the Europeans that we were in earnest about NATO.

That token force very rapidly grew into an army of four hundred thousand American soldiers; and it soon became apparent that NATO was simply another device for milking economic aid out of America and tricking us into policing Europe with American soldiers: another means by which the Soviets and the socialists of Europe could use America's strength against America — use American resources for building up economic and industrial power which would either remain neutral in any eventual war between the Soviets and America — or, more probably, would be taken over by the Soviets and used against us.

Even the paper armies envisioned by the NATO planners, if fully supported by the Europeans and brought to maximum planned strength, would never have matched the reality of hundreds of divisions of Communist troops actually in existence and stationed along the Eastern front behind the Iron Curtain.

None of this discouraged America's internationalists, however. It seemed merely to encourage their reckless orgy of giving and spending American money. We gave the NATO countries billions of dollars in military goods made in America, and we spent more billions building up European industries to produce for the NATO countries.

As our spending and giving in Europe increased, however, the European desire to resist Communism decreased. We did succeed in building Europe up economically, reviving industries that had collapsed, and creating new ones — in areas like those in northern Italy and in France where industries are under the control of Communist labor unions and frequently under Communist management.

At first, it was a mystery to some Americans that the Russian armies did not go ahead and roll over Europe, where they would have met only such resistance as might have been mustered by American soldiers scattered around over the continent. Before very long, however, it became rather obvious why the Communists did not move their armies into Western Europe: they were infiltrating (as they have always done so easily in Socialist or left-wing countries) the government, the institutions, and the armies in the Western nations of Europe, preparing themselves to take over such nations after American money has built up the industries of those nations to the point where they will be invaluable prizes.

By 1952, we had spent so much and accomplished so little on the NATO experiment — had so grievously weakened our own economic and military strength at home in our vain efforts to bribe the Europeans into defending themselves — that the American people were beginning to stir uneasily and to question the wisdom of it all. Even the powerful internationalist propaganda machine in the United States was beginning to lose its hold on the minds of the American people.

Something had to be done.

President Truman did it. In February, 1952, he sent Mr. Acheson off to Lisbon for a high-level conference of the NATO powers. Mr.

Acheson laid it on the line to them, told them that America was beginning to be disappointed, suggested what we expected of them. At that Lisbon conference in 1952 they resolved and promised and committed and planned until Mr. Acheson got happy and came on home.

Mr. Acheson and Mr. Truman again complimented each other for welding the Western world into a fighting force against communism, and again all of the internationalists in America rejoiced.

Within two weeks the French government had collapsed because it had been asked to raise French taxes to help implement some of the promises made at Lisbon. None of the promises made at Lisbon were ever kept, but they served quite well the basic purpose of keeping American money coming. Encouraged by all of the fine promises which Mr. Acheson had obtained in Lisbon, we kept pouring our men, our money, our material, and our hopes into Europe.

At this juncture we had our eggs all in one basket: EDC — the European Defense Community. This was a French proposal. It was going to be an integrated, supra-national, European army. But after making the proposal and thereby removing all stops against the endless American treasure that was pouring into Europe, the French rejected their own plan. The whole thing collapsed in the summer of 1954, when Mendes-France and the French Parliament killed the EDC plan.

And there we were, five years and 13 billion American dollars after NATO was formed: Europe was more divided, more pro-Communist, more anti-American, and less unified than ever before.

Something had to be done.

This time President Eisenhower did it. He sent Mr. Dulles off to London for a high-level conference with the NATO powers. Mr. Dulles in London laid it on the line to them in 1954, just as Mr. Acheson had at Lisbon in 1952 — only more so. Mr. Dulles even went so far as to hint — horror of horrors — that if the NATO powers didn't do something, America might withdraw her troops from Europe, and might even stop subsidizing the deficits of Europe's socialistic governments.

European statesmen — who have shown themselves courageously indifferent to the awful threat of communism — had the pants scared off them at this suggestion that the great American goose might quit laying the golden eggs.

The resoluting and the promising which they did at London for Mr. Dulles outdid everything they had done for Mr. Acheson at Lisbon. Mr. Dulles and Mr. Eisenhower complimented each other profusely; and again America's internationalists rejoiced. We *were* going to build that great European bulwark against communism, and the American goods and the American money kept flowing.

How long will we put up with it?

From the beginning, we built NATO on the assumption that France must be the keystone of any effective defense of Europe.

How effective will the French armies be against the Soviets, when one out of every four French soldiers is a communist?

The communist party is the biggest political party in France.

The situation in Italy is as bad or worse.

Under such circumstances it seems obvious that any NATO army in Europe could be sabotaged, or openly attacked from behind, by hundreds of thousands of Italian and French communists. Why should American soldiers be exposed to such slaughter?

America directly underwrites 77.9 per cent of the total NATO budget. What we actually pay, however, is much closer to 100 per cent, because the other nations make their contributions out of what we give them.

It was always Lenin's fondest dream that America could somehow be manipulated into spending herself into bankruptcy. It is now

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took a leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years, spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side — the side that uses fundamental American principles as a yardstick for measuring all important issues. Smoot now has no support from, or connections with, any other person or organization. His program is financed entirely from sales of his weekly publication, *The Dan Smoot Report*.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom; you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*. A subscription blank is on the reverse side of this page.

beginning to look as if NATO will help to make a dream come true.

NATO, as an effective military alliance against the Soviets, is hardly discussed any more in serious conversation. It is patently a disastrous failure.

John Foster Dulles is now working with the British and French on schemes to "expand NATO to the totality of its meaning."

The military aspects of NATO will be kept for parade and propaganda purposes. But the alliance will serve principally as an excuse and a device for funnelling American aid into European countries until our economies are so nearly on the same level and are so closely entangled that the final step into political union will be easy, if not inevitable.

We won't hear much about this between now and November, of course. Foreign policy must be kept "bi-partisan", "above the level of domestic politics" — which means merely that the American voters must not be given a chance to pin their presidential candidates down on the over-riding issue of foreign policy.

After the elections, the propaganda mills will begin to grind; and NATO will again be much in the news.

Meanwhile, some of us can ruminate on these remarks by a man who ought to know, the Paris, France, Bureau chief of the *Chicago Tribune*.

He says:

"I don't think any Europeans except such individuals as have soft jobs in NATO and SHAPE take them seriously. At SHAPE'S recent fifth birthday celebration about 400 generals and colonels watched a parade of 84 soldiers of the 15 nations which are members, with half a dozen French gendarmes pinch hitting for Iceland, which has no army.

"France and the rest of the Atlantic allies accept NATO because the American taxpayer pays for a large part of their military establishment. Heavy pressure is now being exercised by European members to transform NATO into an economic organ with American funds being used to equip their countries industrially and in other fields rather than concentrating on weapons."

DAN SMOOT,

P. O. Box 1305

Dallas, Texas

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DAN SMOOT

Vol. 3, No. 26

Monday, July 1, 1957

Dallas, Texas

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On May 13, 1957, in a speech on the floor of the House, United States Congressman Noah M. Mason (Republican, Illinois) said:

Mr. Speaker, for over 150 years the American people lived with and under the Federal Constitution and its provisions — as drafted by the Founding Fathers. During that time they were a happy, contented, and a prosperous people. . . .

Then came our New Dealers, our Fair Dealers, and our Modern Republicans with ideas and proposals to change our Constitutional form of Government . . . into a Welfare State, a Centralized Socialist-Labor Government, with our Sovereign States relegated to a subservient position, exercising only those powers and duties that might be assigned them by an all-powerful, arrogant, dictatorial, centralized Federal government — divorced from those powers, duties, and privileges guaranteed to the States by our Federal Constitution.

Mr. Speaker, in order to bring about this government transformation, it became necessary to first take away from the States all the rights, powers, and privileges that were guaranteed them by the Constitution. And in order that this first step might be taken we had to have a Supreme Court that would be sympathetic to the proposed government change-over. . . .

So today a majority of the Supreme Court Justices are men that are socially, economically, and politically minded rather than men legally experienced and judicially inclined. Therefore, most of the recent Supreme Court decisions are based upon the social, economic, and political convictions or predilections of the Justices rather than upon legal precedents or constitutional grounds. . . .

Nothing is sacred nor permanent under the present uncontrolled Supreme Court. Century old customs and previous Court Rulings may now be overturned by a capricious Supreme Court, a majority of whose Justices have predilections that influence or dominate their opinions. . . .

I say that under the present Supreme Court we have been traveling on the road to tyranny for 20 years, and we are rapidly approaching a situation that properly can be called a 'Centralized Federal Tyranny.'

The Founding Fathers and the makers of the Constitution agreed that an uncontrolled Supreme Court meant despotism, and must be guarded against. We now have such a Court. Under it the loss of our constitutional rights and privileges is a constant menace. This menace should haunt the thoughts of every citizen who believe in Constitutional Government. Congress must establish some form of control over the Supreme Court so that our guaranteed personal rights and privileges cannot be usurped by an uncontrolled, capricious Supreme Court. That is the task Congress must face up to and must accomplish before it is too late. . . .

Our first and primary responsibility as Members of Congress — whether we call ourselves Democrats or Republicans — is to protect and preserve our Federal Constitution; to insist upon States' Rights; to do all we can to curb and control our uncontrolled Supreme Court; and to pass on to our children the Constitutional form of Government that we inherited from our far-seeing Founding Fathers. Our oath of office pledges us to do just that. Let us live up to that oath.

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ENCLOSURE

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Congressman Mason is right; at what, specifically, could the Congress do?

It has constitutional power to pass laws limiting the power of the courts. Congress should do that. But it could do more. It could impeach the present members of the Supreme Court and remove them from office, for the incalculable damage they have already done to our country.

And if the Congress will not impeach the justices — the people could impeach the Congress, by defeating at the polls every Senator or Congressman who refuses to support impeachment.

* * * * *

Impeaching the Court

Here is what the Constitution of the United States says about impeachment:

The House of Representatives shall . . . have the sole power of impeachment.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

The President, Vice-President, and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

Treason is defined in the Constitution as "levying war against them (the United States), or in adhering to their enemies, giving them aid and comfort."

High Crimes are defined by some law text writers as trespasses upon the constitutional rights of the American people by an officer or agent of government, whether appointed or elected to office.

The definition of "high crimes" which was developed during the impeachment proceedings against President Johnson is this:

A high crime consists of a violation of the Constitution by an official, through an act committed or omitted, without the violation of any positive law, by abuse of discretionary powers from improper motives, or from improper purpose.

Misdemeanors, as used in the Constitution in connection with the impeachment of officials, means bad behavior.

The Constitution says that federal judges shall hold their offices — not for life — but during good behavior. It also says that "judicial officers . . . shall be bound by oath or affirmation to support this Constitution."

I do not know any facts which would justify impeachment proceedings against any member of the present Supreme Court on the grounds of bribery.

But according to the Supreme Court justices themselves, reasonable impeachment proceedings could be brought against eight of the nine present members of the Supreme Court for all the other causes specified in the Constitution; treason, high crimes, misdemeanors, and failure to be bound by oath of office.

The one Justice who could not reasonably be impeached on the basis of what his fellow Supreme Court Justices have said about him is Justice Charles E. Whittaker — who has not been on the Court long enough to participate in key split-decisions.

The essential witnesses needed in impeachment trials of the eight Supreme Court Justices (Black, Brennan, Burton, Clark, Douglas, Frankfurter, Harlan, and Warren) would be the Justices themselves.

The evidence would consist of:

- (1) the Constitution of the United States;
- (2) Supreme Court decisions which violate the Constitution;
- (3) the official minority opinions of the Supreme Court Justices.

The Supreme Court laid the foundation and set the pattern for revolution by court fiat when it handed down the school segregation decision on May 17, 1954.

Basing its decision on communist-socialist propaganda and on the opinions of foreign

sociologists — rather than law, on judicial precedent, or on the Constitution — the Supreme Court on May 17, 1954, established the principle that our Constitution no longer has any fixed or definable meaning.

The Constitution now means whatever a majority of the Supreme Court wants it to mean.

The Court's wild career leftward since May 17, 1954, has been spurred and directed by Chief Justice Earl Warren.

From time to time, various Supreme Court Justices have rejected Warren's revolutionary leadership and have written dissenting opinions. Douglas and Black are about the only ones who have stuck with Warren in all significant split-decision cases. Clark has dissented from the Warren line more often than any of the others. But even Tom Clark has been on the side of revolution-by-court-fiat in some cases.

In short, if you would review the minority or dissenting opinions in enough Supreme Court split-decision cases, you would find that every member of the present Supreme Court (except Mr. Whittaker) has been formally accused, by one or more of his fellow Supreme Court Justices, of behavior which should be impeachable under the Constitution and laws of the United States.

* * * * *

Out of Their Own Mouths

Here are samples of the kind of dissenting opinions which would enable the Congress to impeach eight of the present members of the Supreme Court on the basis of what their own fellow justices have said about them.

In the Raphael Konigsberg Case decision, Justice John M. Harlan dissented, saying:

It seems to me altogether beyond question that a state may refuse admission to its bar to an applicant, no matter how sincere, who refuses to answer questions which are reasonably relevant to his qualifications and which do not invade a constitutionally privileged area. The opinion of the Court does not

really question it solves the problem by denying that it exists.

But what the Court has really done, I think, is simply to impose on California its own notions of public policy and judgment. For me, today's decision represents an unacceptable intrusion into a matter of State concern.

The minority decision on the Court's 1956 ruling on the Summary Suspension Act of 1950, was written by Justices Tom Clark and concurred in by Justices Stanley Reed and Sherman Minton.

It stated:

The Court's order has stricken down the most effective weapon against subversive activity available to the government. It is not realistic to say that the Government can be protected merely by applying the Act to sensitive jobs. One never knows just which job is sensitive. The janitor might prove to be in as important a spot security-wise as the top employee in the building.

In writing the dissenting opinion in the Watkins Case, Justice Tom C. Clark said:

As I see it the chief fault in the majority opinion is its mischievous curbing of the informing function of the Congress.

So long as the object of a legislative inquiry is legitimate . . . it is not for the courts to interfere with the committee system of inquiry. To hold otherwise would be an infringement on the power given the Congress to inform itself, and thus to trespass upon the fundamental American principle of separation of powers. The majority has substituted the judiciary as the grand inquisitor and supervisor of congressional investigations. It has never been so.

Associate Justice Clark, in dissenting in the California Communists case, said:

I would affirm the convictions. . . . In its long history I find no case in which an acquittal has been ordered by this Court solely on the facts. It is somewhat late to start in now usurping the function of the jury, especially where new trials are to be held covering the same charges.

In dissenting on the Jencks case, Justice Clark said:

Unless the Congress changes the rule announced by the court today, those intelligence agencies of our government engaged in law enforcement may as well close up shop, for the court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets.

* * * * *

What the Court Has Done For the Communists

The present Supreme Court has held in favor of communists in every one of its deci-

sions which has anything to do with communist activities.

Limitations of space prohibit a listing of all decisions in which the Supreme Court has given aid and comfort to the communist enemies of our society.

But here are a few key ones:

Slochower Case

In its April 9, 1956, decision in the Harry Slochower case, the Supreme Court made it virtually impossible for state or local governments to fire communists or other subversives from jobs in tax-supported institutions.

Slochower, an associate professor of Brooklyn College, while being questioned by a Senate subcommittee, refused to answer questions about communists, claiming protection of the Fifth Amendment.

The New York City Board of Higher Education fired Slochower, in accordance with a provision of New York's city charter. The Supreme Court held that the board had violated Slochower's constitutional rights — although the Constitution gives no one a right to a job which his employer considers him unfit to have.

A principal reason which the Supreme Court gave for its Slochower decision was that Slochower, in invoking the Fifth Amendment, did not realize that this would cost him his job.

The New York City Board of Higher Education petitioned for a rehearing, pointing out that this reason was not even based on fact — that it was, in short, false; Slochower did know that invoking the Fifth Amendment would cost him his job. Transcripts of the Senate subcommittee hearings made this quite clear.

The Supreme Court admitted that it had misstated the facts in its Slochower decision, but denied the rehearing anyway — demonstrating, as Senator James O. Eastland said, "its sublime indifference to the factual context of its arbitrary and highly political decisions."

Schwartz Case

In its May 6, 1957, decisions in the Schwartz Case and in the Konigsberg Case, the Supreme Court made it impossible for state bar associations — or even the sovereign states of the union — to keep communist lawyers from being members of the bar.

Rudolph Schwartz, for about seven years during his responsible adulthood, was a member of the communist party. As such, he had used various aliases and had been twice arrested for criminal syndicalism.

Schwartz's *known* membership in the communist party ended in 1940; and, in 1954 (when New Mexico bar examiners were holding hearings to determine whether he should be permitted to become a member of the New Mexico bar), several witnesses testified to Schwartz's present good character.

But, the bar examiners, after hearing all evidence, concluded that Schwartz was not morally fit to become a member of the New Mexico Bar.

The New Mexico Supreme Court upheld the action of the examiners.

The Supreme Court ruled that New Mexico's action in keeping Schwartz from becoming a member of the bar violated the due process clauses of the 14th Amendment.

Mr. Justice Frankfurter, in an opinion concurring with the majority decision in this Schwartz case, said:

Admission to practice in a state and before its courts necessarily belongs to that State. . . .

It is beyond this Court's function to act as overseer of a particular result of the procedure established by a particular State for admission to its bar. No doubt satisfaction of the requirement of moral character involves an exercise of delicate judgment on the part of those who reach a conclusion, having heard and seen the applicant for admission. . . .

Especially in this realm, it is not our business to substitute our judgment for the State's judgment — for it is the State in all the panoply of its powers that is under review when the action of its Supreme Court is under review.

Having thus stated that the Supreme Court had no business meddling with the affairs of the sovereign state of New Mexico, Mr. Justice

Frankfurter concurred with the Court's decision to meddle — to reverse the decision of the New Mexico Supreme Court and order that Rudolph Schware must be permitted to take the bar examination in New Mexico.

Konigsberg Case

The Supreme Court's Konigsberg Case decision on the same day (May 6, 1957) was an even worse invasion of the rights of a sovereign state — in this case, the state of California.

Here is comment on the Konigsberg Case from an editorial in the May 9, 1957, issue of the *Richmond News-Leader*:

The California rule is that an applicant for the state bar must be prepared to show that he does not advocate the overthrow of state or federal government by force.

(Raphael) Konigsberg, an outspoken leftwinger, had been tentatively identified by a witness as a person who had attended communist meetings in 1941....

When the California bar examiners attempted to question Konigsberg, he stubbornly refused to answer their inquiries. Standing on the single, naked statement that he did not, never had, and never would advocate the overthrow of government by violence, Konigsberg invoked the first amendment and made evasive speeches.

Time after time, the California examiners, patiently offered the applicant a fair opportunity to establish his fitness to become a member of the bar. And time after time, Konigsberg brushed aside the questions.

The California Supreme Court upheld the bar examiners' decision that Konigsberg was not fit to become a member of the California bar.

The Supreme Court reversed the California Supreme Court — on the grounds that Konigsberg's right to due process (under the 14th Amendment) had been violated.

Sweezy Case

Paul M. Sweezy, a professor at the University of New Hampshire, had been accused of subversive activities — specifically of teaching communist doctrine to students.

The New Hampshire state legislature directed the New Hampshire Attorney General to make an investigation.

The Attorney General twice tried to question Sweezy about his alleged subversive activ-

ities. Sweezy denied that he had ever been a member of the communist party — but refused to answer all questions about his alleged association with known communists, about the alleged subversive content of his lectures to students, and so on.

The New Hampshire Supreme Court held Sweezy in contempt.

The Supreme Court reversed the New Hampshire Court — Frankfurter holding that state officials have no right to question the beliefs and associations of professors in state institutions; Warren and three other Justices holding that the State of New Hampshire had gone about the matter in the wrong way. Warren's opinion held that the appointment of the Attorney General to serve as a committee for the legislature got the "separation of powers" all mixed up and caused a "deprivation of the constitutional rights" of Professor Sweezy.

Nelson Case

On April 2, 1956, the Supreme Court in a 6-3 decision ruled that state governments cannot punish persons for sedition. The court overturned the conviction of Steve Nelson (admitted communist party leader — possibly the most dangerous communist official in the United States) who had been given a 20-year sentence in 1952 for violating the Pennsylvania state sedition law.

The court said that the Smith Act of 1940 (the law under which the federal government has been trying communist party leaders) gives the federal government exclusive jurisdiction in the field of sedition.

The States are Out

The five cases just reviewed obviously make it impossible for state governments to take any effective legal action at all against communists.

The Slochower case says that states can't keep communists off the public payrolls. The

Schware and Konigsberg case that the states cannot keep communists from membership in state bar associations nor bar them the privilege of practicing law in state courts. The Sweezy case says that state governments cannot even investigate communist subversion in their own way. The Nelson case puts the lid on the jar: it says that state governments simply cannot prosecute communists for seditious activities — all of this must be left to the federal government.

The Federals are Out Too

Although Supreme Court decisions have foreclosed all possibility that state governments can protect the American people against communist treachery, implying (in the Nelson case decision) that the federal government must provide this protection, the court has also made it virtually impossible for the federal government to protect itself (or the people) against communists.

Summary Suspension Act of 1950

In 1956, the Supreme Court handed down a decision that the Summary Suspension Act of 1950 (which gave federal agencies authority to fire known subversives from federal jobs) applied only to federal employees in "sensitive" positions.

Senator Mundt (who helped write the law) said that Congress meant it to be applicable to every federal job. Mundt said that the really dangerous communists are the ones no one ever suspected — that is, the inconspicuous jobholders who are not in sensitive positions. Senator McCarthy said that this decision could require the government to re-hire (and grant back pay to) thousands of discharged communists.

Communist Party Case

Citing provisions of the Subversive Activities Control Act of 1950 and the Communist Control Act of 1954, the Subversive Activities Control Board (SACB) ordered the com-

munist party to register with the Attorney General as a communist-action organization under foreign domination.

The communist party has refused to obey.

The Federal District Court and the Federal Court of Appeals for the District of Columbia both upheld the ruling of the SACB.

On April 30, 1956, the Supreme Court held that the communist party does not have to register as a foreign-dominated communist-action organization, because the party claims that some of the evidence against it is "clouded," and that it had not been given adequate opportunity to cross-examine the witnesses who gave the alleged "clouded" evidence.

The Supreme Court refused to pass on the constitutionality of the Subversive Activities Control Act — until this alleged "cloud" has been removed.

The effect of this decision is to permit the communist party to ignore the laws of Congress.

As long as the communists allege that the government's evidence against them is tainted, the Supreme Court can refuse to decide the case; and the communists will be excused from complying with laws designed to exercise some control over them.

Watkins Case

John T. Watkins has for several years been an official of the United Electrical Radio and Machine Workers Union — the union which was expelled from the CIO because it was allegedly dominated by communists.

The House Un-American activities committee, investigating communist infiltration into labor organizations in the Chicago area, subpoenaed Watkins to testify. Watkins admitted extensive communist activities on his own part, but denied that he was ever formally a member of the party. He refused to answer questions about the alleged communist

activities of his associates in union work. He did not invoke the 5th Amendment. He just said that Congress had no right to ask him such questions.

Watkins was tried and convicted for contempt of Congress.

On June 17, 1957, the Supreme Court overturned his conviction — agreeing with him that the congressional committee had no right to ask him questions about his alleged communist associates.

The narrow restrictions which this court decision places on the congressional power to investigate makes it practically impossible for congressional committees to conduct effective inquiries concerning communist activities.

The court was well aware of the terrible impact which this Watkins decision would have. The majority begins its long, labored (and largely irrelevant) argument for its own decision with this remark:

We approach the questions presented with conscious awareness of the far-reaching ramifications that can follow from a decision of this nature.

Jencks Case

Clinton E. Jencks, a New Mexico labor union official, was convicted of perjury — for having filed an affidavit in which he falsely denied he was a communist.

On June 3, 1957, the Supreme Court ordered a new trial for Jencks, saying that the government must make available to the defense all confidential reports which were made by any witness called to testify in the case.

This decision means that the FBI cannot permit its reports to be used in any trial of a communist without exposing — and thus destroying — the undercover informants and all of the FBI secret investigative techniques and procedures which are absolutely essential to the FBI's great work in the fields of counter-espionage and subversive activities intelligence.

The Jencks decision also dries up the sources of information which have enabled the

Narcotics Bureau to combat the serious and growing problem of narcotics traffic. This, incidentally, is a great help to communist China — whose principal foreign export to the western world is illicit drugs.

The California Communists Case

On June 17, 1957, the Supreme Court overturned the Smith Act conviction of 14 officials of the communist party in California — freeing five of the communists outright, ordering a new trial for the nine others.

But, considering the effects of the previous Jencks case and Watkins case, it is doubtful that the Department of Justice will, or can, prepare a new case for trial.

* * * * *

We're On Our Way

Between April, 1956 and July, 1957, the Supreme Court (in the 10 cases briefly reviewed above and in many others during the same period which have not been mentioned) made it impossible for the American people (either through their state or federal governments) to protect themselves against communists.

Communists are officially recognized as enemies of the United States. All major spending programs of the federal government since 1945 — programs which are imposing a crushing burden of taxation on Americans — have been "justified" on the grounds that they are fighting communism.

To any reasonable lay person, it must be apparent that the kind of aid and comfort which the Supreme Court justices have given to communists amounts to treason against the United States — whether or not formal charges of treason could be brought against the justices in an impeachment or criminal trial.

If there be any doubt about how much help the Supreme Court has given the communists, we can call the communists to testify.

After the Supreme Court decision in the California Communists case, Dorothy Healey Connelly, former Los Angeles County communist party chairman, said that the Supreme Court decision was

the greatest victory the communist party in America has ever received. It will mark a rejuvenation of the party in America. We've lost some members in the last few years, but now we're on our way.

On June 16, 1957, the *Worker*, Sunday edition of *The Daily Worker* (official communist party newspaper in the United States) anticipated the Supreme Court decisions that would be handed down the next day.

Communist columnist Simon W. Gerson, in a long editorial feature, reviewed the Watkins case and the California Communists case — guessing that the Court would hand down decisions that would “blunt the tactics of Congressional inquisitors.”

The *Daily Worker* of Monday, June 17, 1957, had another front-page story in the same vein.

And then, on June 18, 1957, the *Daily Worker* gave banner headlines to the Supreme Court decisions of the day before. Here are some quotations from the *Daily Worker* of June 18:

Mrs. Martha Stone Asher, chairman of the New Jersey Communist Party, who faces a five year jail term under the

Smith Act, is also chairman of a special committee of national C. P. leaders formed to aid the *Daily Worker* and *Worker* in their drive for \$100,000 in funds and a pick-up in circulation.

Naturally, she saw in the decision a vindication of the heroic efforts in behalf of the paper which has been battling systematically against Smith Act persecution since 1948, as well as an encouragement of new efforts for expanding circulation and collecting money.

On June 19, 1957, the lead editorial in the *Daily Worker* heaped praise on the Supreme Court:

It may still be too early to say that ‘calmer times’ are here, but Monday’s Supreme Court decisions go a long way toward restoring civil liberties for all Americans. These landmark rulings in one great flash illuminate the recent McCarthyian darkness and light up the promise of a restored Bill of Rights...

The causes for the Supreme Court decisions do not lie principally in the complexities of the law or the make-up of the individual Justices. Basically, they lie in what is commonly called the changed political climate. And the change in the climate resulted from the incessant struggles of the people for democratic rights and for peace. The defeat of McCarthyite congressmen in the 1954 elections, the Senate censure of McCarthy in 1954, the historic summit conference at Geneva in 1955 — all these went to make up the new climate...

The fevered attacks of the Jenners, Mundts, Walters, et al. are proof positive that those cold warriors basically distrust the framework of American constitutional democracy; it is they who seek its destruction and not the trade unions, the Negro people, the Communists and other radicals who seek to advance their ideas within an expanding constitutional process...

When will the whole anti-Communist myth on which both a German Hitler and an American McCarthy built their power be ended?

These are questions that demand an answer in the wake of Monday’s historic decisions. The court has spoken, and many democratic-minded Americans, including Communists, who fought so staunchly in the anti-McCarthy resistance, will take new heart. They will join in speeding the coming of those ‘calmer times’ of which Justice Black spoke.

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took a leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years, spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side — the side that uses fundamental American principles as a yardstick for measuring all important issues. Smoot now has no support from, or connections with, any other person or organization. His program is financed entirely from sales of his weekly publication, *The Dan Smoot Report*.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.

COVER LETTER FOR BLOCKED MAIL TOO LARGE FOR FILE

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THIS SERIAL THE (Date)

May 27, 1957

ISSUE OF THE (Name of the pamphlet)

The Dan Smoot Report

SUBJECT

① Dan Smoot

ADDITIONAL INFORMATION

*Fluoridation*ALL INFORMATION CONTAINED
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Mr. J. Edgar Hoover

THE

Dan Smoot Report



DAN SMOOT

Vol. 3, No. 21

Monday, May 27, 1957

Dallas, Texas

Fluoridation

ink 10-1

Would you like to put a little poison in your drinking water?

That's a question being considered by city officials all over the United States.

The question is never put that bluntly. The question is: shall we add sodium fluoride to the public water supply? Those who want to do it are outraged at the mention of poison; yet everyone — even those who are in favor of fluoridating public water supplies — agrees that sodium fluoride is a cumulative poison.

The strange national controversy over poisoning public water supplies is following a rather typical course in Dallas, Texas.

In 1951, a strong effort was made to fluoridate public water. The city council defeated the effort.

But six years of quiet propaganda reopened the battle — on a somewhat different front.

In 1957, the fluoridationists started exerting intense pressure on the city council to put the question to a vote of the people.

In a 'democracy' like ours, is it not right to resolve public questions by majority vote of the people?

We are not supposed to have a democracy: we are supposed to have a republic, founded on the presumption that every individual has rights that God has given him and that no power on earth can take away — neither government, nor private organizations, nor an overwhelming vote of the whole people.

If we had a democracy in which all problems are decided by a majority vote, it would be silly to have a written Constitution. Every time a pressure group wanted something, the question could be submitted to the voters. If a majority ~~votes yes, the thing is done.~~

Suppose you have an unusually bright and healthy ~~four-year-old~~ child. The Public Health Service decides that your child should be taken away from you and shipped off to

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the Harvard Medical School for experiments to determine why he is so bright and healthy — and to find out what it would take to destroy his health.

That would be in the public interest. If medical scientists could make such a case-study of your child, they might develop information that would eventually improve the health and well-being of every other child on earth; and only one child would have been sacrificed — yours.

If you resist sacrificing your four-year-old child for the public interest, the question could be put to a public vote.

Suppose that every voter in your city — except you — votes to take your baby away from you and send him off to Harvard Medical School.

That would represent the majority will; and if it were done, that would be democracy.

Democracy is the most terrible kind of tyranny imaginable; and democracy is what the do-gooders and the uplifters and the subversives and the bureaucrats with a Great Leader complex are gradually imposing on the American people — through such programs as fluoridation of public water supplies.

Putting fluorides in drinking water is not a legitimate public question. It is a private question. It is no more the business of your city council members — or of the voters in your city — to determine whether you should have fluorides in your drinking water than it would be for them to decide that you should have a shot of penicillin because you have an infected toe.

The drive to put poison in public water

supplies is a well-organized national movement — a threat to the health and freedom of every person living in the United States.

Americans should inform themselves on this subject and do something about it — and do it soon.

There is a wealth of available information.

I recommend one book: *The American Fluoridation Experiment*, published in 1957 by the Devin-Adair Company, New York.

This book presents the case against fluoridation — a case made by the research of two American physicians: Dr. F. B. Exner and Dr. G. L. Waldbott.

You can order the book from *The Dan Smoot Report* or directly from the publisher. In either case, you will get it for the regular bookstore price: \$3.75.

* * * * *

The Case for Fluoridation

For years, the phenomenon of "Texas teeth," was widely observed. People who spent their childhood in certain Texas localities (Amarillo, for example) frequently had brown or yellow stains in the enamel of their teeth. The stains were permanent and unattractive. Yet, people who had such stains had unusually strong teeth, remarkably free of cavities.

Investigation disclosed that drinking water in communities where people developed "Texas teeth" contained, naturally, a small quantity of fluoride.

Sodium fluoride is toxic.

Over twenty years ago, a Danish scientist,

K. Roholm, made an investigation of the effects on animals and human beings of fluorine fumes discharged by aluminum, steel, and fertilizer plants.

The effects are about the same on men as on animals.

Animals grazing near big industrial plants that pollute the air with fluorine fumes become lifeless and thin; they lie down and get up with difficulty; they limp because of sore, stiff joints. In the young, the teeth develop brown and black stains.

In many areas, pure food and drug laws specify the maximum amount of fluorine that can be permitted in processed foods. In some places, the natural water supply has a higher fluoride ion concentration than the law allows for processed foods. Hence, some food processors have had to install expensive equipment to take fluorine out of the water used in the preparation of foods.

In addition to its harmful effect on human and animal life, sodium fluoride, when dissolved in water, is very corrosive. In some cases, industrial users of water defluorinate water to keep it from corroding and fouling equipment.

In short, the fluorine problem for years involved the task of getting fluorides out of water and food, rather than getting them in.

Nonetheless, people who lived in places like Amarillo, Texas, seemed to be robust. Some of them had discolored teeth; but most of them appeared to have unusually good teeth.

The question logically arose: if you could give children just the right amount of sodium fluoride during the early years when their teeth were forming and erupting, couldn't

you strengthen their teeth without causing any damage from fluorine poisoning?

The United States Public Health Service took the lead in investigations to prove that this could be done. The investigators hit upon the formula of one part of fluorine to one million parts of water as being safe for human consumption — and as being the proportion which would help develop strong teeth in children who drink such water from the time of birth until about the age of twelve.

Fluoridated water will not have any beneficial effect at all on people who are over twelve years old.

But if you put sodium fluoride in the public water supply so that the total population will drink it, you can be sure that every small child will get it.

At most, not more than 20% of the adult population will suffer any harmful effects. A few people with kidney trouble or with special allergies may suffer such damaging effects from fluoridated water that they will have to provide their own fluorine-free water. But, on the whole, the 20% of the adult population who suffer some damage from drinking fluoridated water will suffer so slightly that their discomfort will be justified by the beneficial effect on all young children.

Fluoridating a public water supply so that the total population will use fluoridated water is relatively cheaper than providing specially fluoridated water for children under twelve, because:

(1) you get the economic advantage of a mass operation; and (2) when you fluoridate an entire water system you can use industrial

fluorides. Industrial fluorides are actually a waste by-product of an industry and are, therefore, cheap.

The democratic thing to do is to fluoridate the water systems so that every child will get all the fluorides he needs, regardless of the carelessness or of the ignorance or of the human fallibility of his parents.

The foregoing is the total case for fluoridation of public water supplies.

But, as Dr. Exner and Dr. Waldbott point out, the advocates of fluoridation do not actually use all those arguments when they are trying to persuade a city to adopt fluoridation.

Fluoridationists use simple propaganda.

They point out that fluoridation of public water supplies has been approved by the American Dental Association, by the American Medical Association, by the United States Public Health Service, by most local public health boards and commissions, and by all *reputable* doctors and dentists and other experts, everywhere.

They discredit everyone who is against fluoridation. They argue that chlorine, when concentrated, is a poison just as fluorine is; and they claim that putting sodium fluoride in public water to improve it is merely a modern, progressive extension of the principle of putting chlorine in public water.

It is only among themselves that the fluoridationists who know will admit that there is a calculated risk of harming up to 20% of the population with fluoridated water — only among themselves that they will admit that *anyone* could be harmed by sodium fluoride in water.

Arguments Against Fluoridation

There are many reputable physicians, water engineers, and medical scientists opposed to the principle of fluoridating public water supplies.

Space requirements limit me to a brief sampling from two authorities already mentioned: Dr. F. B. Exner and Dr. G. L. Waldbott, authors of *The American Fluoridation Experiment*.

If it had been proven, by generations of scientific observation and unbiased research, that sodium fluoride in public water could not harm anyone, it would still be wrong to fluoridate public water systems — even if a majority of the people vote to do it.

The American people have generally accepted the idea that a community, or a state, has legitimate police powers to protect the public health against man-made conditions, or against people or animals who are dangerous to the public health.

Even this much public interference with private health matters is offensive to many; but, generally, Americans will accept such things as compulsory smallpox vaccination for public school children — on the assumption that the state does have the constitutional power to protect the public against possible outbreaks of such contagious diseases as smallpox.

Public officials can, and almost universally do, require that public water supply systems be treated with chlorine to kill harmful bacteria and germs that could cause plagues among the populace.

But such arguments do not justify fluoridating public water systems. Chlorine purifies water. Sodium fluoride poisons it.

The most extravagant claim that can be made for fluoridating public water supplies is that fluorine will help decrease tooth decay among children under twelve.

Tooth decay is not a communicable disease. A person walking around with cavities in his teeth is not a public menace. When you force medical treatment (without even the justification of eliminating a public menace) you are engaging in the same kind of tyranny that Hitler practiced and that communist governments practice: making medical experiments on people just to find out what will happen.

That's all that fluoridation of public water supplies is: an experiment in mass medication.

The results can be horrible disaster for the whole population.

There is no reliable evidence that fluoridation will improve the dental health of children. It is true that some people who grew up in places where water is naturally fluorinated do have exceptionally good teeth. But in all those places, the water has a high content of other minerals—such as calcium—which are probably responsible for the strong teeth.

There is as much evidence to prove that fluorine is harmful to teeth as to prove that it is beneficial. It is very probable that in places like Amarillo, Texas, the natives would have even stronger teeth (and teeth free of the fluorine discoloration) if their water, containing an abundance of calcium and other beneficial minerals, did not contain the poisonous fluoride.

It would take generations of carefully con-

trolled, unbiased laboratory studies to determine the real effects of fluorine on the human body.

No such studies have been made. The propaganda used by the American Medical Association, the American Dental Association, and the miscellaneous do-gooding civic leaders who advocate fluoridation are based for the most part on "studies" made by the United States Public Health Service. And these studies, according to Dr. Exner and Dr. Waldbott, were not scientific investigations. They were biased, inconclusive, and dishonest collections of information compiled for the specific purpose of providing propaganda for fluoridation.

If there is the slightest possibility that fluoridation could be harmful to anyone—there is no argument that could justify putting the stuff in public water systems.

There is abundant evidence that sodium fluoride is extremely harmful to large numbers of individuals: people with bad kidneys, people with special allergies, old people with high blood pressure.

People who support fluoridation either ignore this evidence or they assume that all such people constitute a minority in our society; therefore, it's all right to let them suffer and die in order to make a mass-medication experiment that might possibly result in fewer tooth cavities for children under twelve!

Here are two typical cases of sodium fluoride poisoning presented by Dr. G. L. Waldbott:

1. "After three years of drinking artificially fluoridated water at one part per million, this patient developed the following manifestations (of fluoride poisoning): severe backache in the lower spine, severe abdominal pain, nausea... mouth ulcers, pain and numbness in arms and legs and partial palsy in arms, extreme exhaustion and

mental deterioration, beginning changes in the retina and hemorrhage from the bladder."

2. "Mrs. H. M., age 49, of Saginaw, Michigan. . . . During July, 1953, two years and three months after Saginaw had fluoridated its water supply, she noted a peculiar gnawing sensation in her stomach after eating. . . . Simultaneously, there was increasing stiffness and pain in the spine. . . . The hands began to tingle. . . . when peeling potatoes she was unable to finish. She lost control of her legs. . . . Gradually, she developed severe muscular pains in arms and legs. Throat, eyes and nose became extremely dry; the more she drank, the thirstier she became. . . . On hot days, the general weakness, mental sluggishness and dryness of the throat were especially enhanced. Because of greater consumption of water at this time, she began to suspect that drinking water aggravated her condition.

"On October 19, 1953, she started to use bottled water for drinking and distilled water for cooking. Within a few days her illness began to clear up; the pain in the stomach and dryness in the mouth improved first; the backache and muscular pains lasted for about three more weeks; the nails became normal after several months. She has been in perfect health since."

Hundreds of such individual cases of poisoning from fluoridated water are on record.

Most of these individuals had special health problems before they started drinking fluoridated water; that is why they reacted quickly and violently to fluoride poisoning.

The dreadful danger of fluoridated water is its unnoticeable, immeasurable, long-range effect on the total population.

Sodium fluoride is a cumulative poison. When you take small regular quantities of sodium fluoride into your system, you eliminate most of it. If you are strong and healthy, the body organs which do the eliminating — kidneys, for example — will not be immediately damaged.

But your body does not eliminate all the fluoride you consume — regardless of how small the quantity. Some of the fluoride accumulates in your bones.

Scientists can only guess at the horrible results of two or three generations of people building up in their bones an accumulation of sodium fluoride.

Alternatives to Fluoridation

It is not likely that anyone who bothers to study the record will want to give his own children fluorides of any kind. But if some do, they can give it to their children privately — more cheaply and with more scientific control than by paying taxes to have industrial fluorides dumped into the public water system where it will be consumed by the total population, used in industry, poured on lawns and shrubs, and corrode water pipes and plumbing fixtures.

When your child drinks fluoridated water from the public water system, you have no way of knowing how much fluoride he is getting.

Sodium fluoride in water is so corrosive that it can clog the control machinery; and water engineers can never guarantee that the water supply will have the recommended one part fluorine per one million parts of water.

Different children drink different amounts of water — and all children generally drink more water in hot weather than in winter.

Here is what Dr. F. B. Exner recommends for people who want to give their own children fluoridated water:

"Any druggist can easily prepare a gallon of water containing 1.7 gram of sodium fluoride. If you give a child one teaspoonful of that mixture in his food or drink each day, he will get a measured dose of 1.0 mg. of fluoride (fluoride ion) instead of whatever dose he would happen to get if you gave him fluoridated water. . . .

"The stock solution is relatively safe to have around, as medicines go. The entire gallon contains less than half the lethal dose of fluoride. . . . This method permits controlled dosage and controlled effects, at least insofar as we can predict effects at all. In any case, the effects will be far and away less variable and uncertain than with fluoridated water. In addition:

"It permits use of a drug-grade chemical (instead of the industrial waste chemicals that are used in water-system fluoridation).

"It can be restricted to those people, and those years, when the effect is desired. This avoids the danger of universal and continued use.

"It is far cheaper than fluoridation. In fact, the fluoride for the gallon of water costs about two cents, and lasts over two years.

"Its greatest advantage, however, is that it is voluntary rather than compulsory; but that is exactly why health departments condemn it....

"Health departments simply do not want any voluntary substitutes for the compulsory method, regardless of what advantages they may possess."

* * * * *

Motives

Why are people in favor of fluoridating public water supply systems?

'Communists approve of fluoridation, and the reasons are obvious. If you can establish the practice of giving mass medication to the people through public water supply systems, how easy will it be to start introducing tranquilizing drugs into the water — to make people placid and amenable to control and authority: to improve their mental health, in other words?

Dr. Exner and Dr. Waldbott say that the aluminum, steel and fertilizer industries want fluoridation for the reason that it gives them

a profitable market for a waste product which used to represent a heavy expense item because it was so hard to dispose of.

They also say that the sugar industry and soft drink industry want fluoridation, because people are becoming aware that America's excessive consumption of sweets causes tooth decay. If these industries can find something that will off-set such causes of tooth decay, sales on sugar and soft drinks will not suffer.

Exner and Waldbott say that the real driving force behind fluoridation is the United States Public Health service — which has poured billions of dollars of tax money into the nationwide drive for fluoridated water supplies.

With the enormous amount of public money which the USPH Service has — to give, or withhold, as grants-in-aid to colleges, medical societies, local health boards and commissions, and to individuals in the medical world — Washington bureaucrats can force support for

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took a leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

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fluoridation upon societies and agencies and individuals who enjoy enormous prestige with the public.

Why do the U. S. Public Health Service people want fluoridation?

The answer which Exner and Waldbott give is that Washington bureaucrats develop a Caesar complex: they spend public money to justify further appropriations of public money and to enlarge their own bureaucratic empires; and they develop a mania for Leading the People — for doing things to the people that they imagine should be done, even though the people may be too dumb to want or appreciate what is being done to them.

And the well-intentioned people who own radio stations and newspapers and who support such programs as fluoridation of public water systems: How can you explain their motives?

Perhaps they have a personal mania, or a

business reason, for wanting to be known as Progressive, Civic-minded Leaders of their Community.

Or, perhaps, there is no way to explain such people. They are usually the ones who, unwittingly, do the dirty work of "educating the public" to accept the evil programs designed by others who have understandable motives — while they themselves have no perceptible motives at all.

But there is something that can be done.

The people could inform themselves on such important issues as fluoridation so that, if they are forced to put the issue to a public vote, they will know enough to vote for their own safety.

And, for the long pull, all of us can work to repeal the federal income tax: cut off the money from the Washington spenders and you will dry up the principal power supply behind such movements as fluoridation.

If you do not keep a permanent file of *The Dan Smoot Report*, please mail this copy to a friend who is interested in sound government.

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Dan Smoot Report



DAN SMOOT

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Monday, July 29, 1957

Dallas, Texas

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What Happened?

American post-war foreign aid began in 1945 as temporary humanitarianism dispensed through the United Nations Relief and Rehabilitation Administration — to give what amounted to disaster relief to the war ravaged countries of the world.

Before all of that aid was out of the pipelines, along came the Marshall plan. This was also temporary. And it was an investment: it was going to bring us great and glorious and profitable returns in prosperous foreign customers who could buy our goods and who would love us for our help.

That didn't work, but it didn't stop either.

Each year, the temporary foreign aid program got a new name and became more nearly permanent, until it became the fixed and essential feature of American foreign policy.

How could this have happened to a nation of literate people?

Business firms which profit from mammoth government contracts; big unions which acquire riches and vast power from the special favoritism they receive in industries working on government contracts; leaders of powerful "christian" churches and organizations who somehow feel that it is Christian to rob American Christians for the support of non-Christian tyrants abroad; the international-socialists who know that the leveling and standardizing of the economies of all nations is an essential step toward the one-world socialist state; and the hundreds of thousands of federal employees whose well-paid and easy jobs, at home and abroad, are dependent on America's foreign aid programs — all these have become a part of the most powerful lobby in the history of the world: the lobby determined to keep Congress and the American people "sold" on foreign aid.

A House government operations subcommittee, under the chairmanship of Porter Hardy, Jr. (Democrat, Virginia) has lifted the veil a bit and given us an inkling of how this lobby works and how effective it is.

3 AUG 16 1957

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63 AUG 21 1957

The story is partially told by Willard Edwards in a by-line article for the *Chicago Daily Tribune*, July 15, 1957.

Here it is:

When the 85th Congress assembled in January, 1957, there was a swelling public revolt against heavy and harmful taxes.

Every day Congressmen and Senators received bags of mail demanding an end to, or sharp curtailment of, the government's domestic and foreign spending programs — particularly the foreign.

The American people had had quite enough of the foreign giveaway.

And then the lobby, financed with tax money, went into operation.

The State Department used money from its emergency funds to pay for "public opinion" polls which would show that a stomping majority of the people want foreign aid continued at a high level.

While the polls were being prepared, experts were getting things ready.

On January 17, 1957, William J. Caldwell, Director of the Office of Public Reports, International Cooperation Administration, hired Mrs. Elinor K. Wolf as a \$30-a-day consultant.

Mrs. Wolf, a protege of Paul G. Hoffman (former foreign aid director), is an old hand at propagandizing for foreign aid. She was a leader of the Committee for the Marshall Plan back in the late forties.

In 1957, Mrs. Wolf's job (according to Caldwell's testimony) was to provide information for "study groups, labor organizations, and foreign aid groups" in order "to put the mutual security program in its proper perspective and correct public misconceptions."

Between January 17, 1957 and April 18, 1957 (when her job was terminated) Mrs. Wolf worked effectively.

She organized a nationwide letter-writing and telegram-sending campaign. All the "foreign aid groups" on her list went into action.

Congressmen, who had been wading through stacks of mail demanding economy were astounded by the sudden switch. They started getting telegrams and letters urging them to support President Eisenhower's radio and television appeals for continued foreign aid — even before the President had made any appeals.

Before the Congressmen and Senators could recover from this abrupt change in "public opinion" Mrs. Wolf's boss "leaked" to *The New York Times* and the *Washington Evening Star* results of the bought-and-paid-for polls showing that the public was emphatically in favor of foreign aid.

The foreign aid program was saved for another year.

Here is the experience of one particular Congressman, as told by Willards in the *Chicago Daily Tribune*:

"Glenard P. Lipscomb (Republican, California) ... like other members of Congress, was overwhelmed by mail from his constituents early this year attacking the President's 71 billion dollar budget and criticizing, in particular, the President's request for more than 4 billions in foreign aid spending.

"He was, therefore, astonished, in February to note a page-one story in the *Washington Star* which 'revealed' that public opinion polls taken by the State Department showed the American people 90 per cent in favor of continued high spending abroad.

"Lipscomb wrote John Hollister, head of the International Cooperation Administration, which administers the foreign aid program, asking for information on how these polls were taken and who paid for them.

"The use of public funds to propagandize the American people in behalf of foreign aid was specifically forbidden by Congress in 1952 under an amendment sponsored by Senator Dworshak (Republican, Idaho).

"Lipscomb received a reply from a Hollister aide which stated that the requested information could not be supplied — it was for 'official use' only.

"Almost immediately, Lipscomb noted a curious change in his mail.

"A number of his constituents, who had not previously shown interest in his attitude, began writing urgent appeals that he support the foreign aid program."

* * * * *

Those Cheap Mercenaries

Senate Bill 2130 (the foreign aid bill) came before the House for debate on July 15, 1957.

Congressman Thomas P. O'Neill, Jr. (Democrat, Massachusetts) was the first speaker for the bill. His opening remarks clearly reveal the effectiveness of the powerful foreign-aid lobby.

Congressman O'Neill said:

"Mr. Speaker, I know that during the course of this year there has been a hue and cry for economy within our various budgets. Having read various articles in *Reader's Digest* and other national magazines and having read reports of the tremendous waste that has been going on in the mutual security programs, at times I have vowed that when the program came on the floor of the Congress I was going to be one who would help scuttle it.

"But, after you review the record that has been made of mutual security through the years and you calm your nerves and you look over the matter before you, and you go over the presentations that have been made before the various committees, one has to take into consideration the tremendous advantages and the good that the mutual security program has done over the course of years."

And then Mr. O'Neill of Massachusetts, aided and abetted by Mr. Walter of Pennsylvania, and Mr. Allen of Illinois, and Mr. Judd of Minnesota, Mr. Gordon of Illinois and Mr. Vorys of Ohio, and others, tells how much good our foreign aid has done.

Do we want the nations of the world "to be independent and friendly to the United States, or do we want them to be Soviet satellites, hostile to the United States?"

The Congressmen in favor of foreign aid pose this either-or question and then claim that foreign aid has welded the "freeworld" into a mighty unified force to resist communism, and has stopped Soviet aggression.

They ignore the fact that since America's postwar aid began, the communists have conquered more than 600,000,000 people: all of

China, half of Indo-China, Tibet, and more than a dozen states in Central Europe.

They ignore the fact that our foreign aid has made more enemies for America than friends. One impressive witness to this fact, incidentally, is Sam Rayburn, Speaker of the House, who on April 10, 1957, said:

"I am pained to say that we have few enough friends in the world. I fear that we have fewer real friends in the world today than we have ever had in the history of this Government."

One of the most astonishing arguments for foreign aid is that it is cheaper for America to defend the world than for us to defend ourselves:

In the House debate on July 15, 1957, Congressman John M. Vorys made this point:

"It costs us \$6600 a year to maintain an American soldier overseas without a gun in his hand. We contribute to the 200 allied divisions that are armed, \$458 per soldier, through this mutual-security program. So, wherever we can replace an American at \$6000 per year with an ally that costs us \$458 per soldier, based on this year's request for military assistance and defense support, we are saving money on our security."

Congressman Robert B. Chipfield (Republican, Illinois) made the same point in these words:

"It costs \$530 for Japan to support a Japanese ground soldier, \$142 in the case of Taiwan, \$105 in the case of Turkey, and \$117 in the case of Korea. In other words, about 60 Turkish soldiers or more than 40 free Chinese soldiers can be maintained for what it would cost to keep 1 American soldier in the field. It would be false economy to say that we should replace the Turkish or Chinese soldier with an American GI."

These arguments obviously mean that Congressman Vorys and Congressman Chipfield regard all the soldiers of the world (outside the communist bloc) as American mercenaries; that we have a responsibility to police the entire world; and that, we should try to do it with hired mercenaries at cut-rate prices!

A cynic might ask the Congressmen: where were your dirt-cheap mercenaries from Japan and France and Turkey and England and India when 150,000 high-priced American GIs were dying in Korea?

Don't the Congressmen know:

(1) That the responsibility of the Ameri-

can government, according to the Constitution, is not to defend the world, but to provide for the defense of America?

(2) That every nation in history which has ever depended on hired mercenaries for its own defense has been destroyed — with the mercenaries taking a leading role in the destruction?

* * * * *

How to Get Rich

Congressman Robert B. Chipfield, arguing on the floor of the House for foreign aid (July 17, 1957) gave an answer to those who cannot understand why Americans should be crushed with taxes to provide benefits for foreigners when Americans themselves are said to be in critical need of the benefits which they are giving away.

Mr. Chipfield said:

"We also hear that the military assistance program deprives our communities of improvements and needed resources. The fact of the matter is that at least 85 percent of every dollar expended for military assistance is spent in the United States and finds its way back to your home or my home in one form or another. This program creates additional jobs for our sons and brings additional wealth to our farms, our merchants and to our workingmen."

There is the economy of the brave new socialist world we are building: work hard and give away the product of your labor, and the activity of working and giving away will make you rich.

But how about the people abroad who receive our gifts? If working to produce it and give it away will make us rich, won't the inactivity of getting it for nothing make them poor?

If Mr. Chipfield's logic is good and if we are really interested in improving the economies of our foreign friends so that they can resist communism, why don't we just sit down and do nothing and let our foreign

friends bustle around to produce and give to us? If, as Mr. Chipfield claims, the activity of producing to give away has made us rich, wouldn't it have the same miraculous results for other people?

There is one embarrassing thing about Mr. Chipfield's argument: it coincides with what the communists have been saying about American aid all along.

The communists, (by way of taunting us into continuing foreign aid) have always told our foreign friends that we are not giving to help them: we're merely dumping our surplus goods on them as a means of providing profitable markets for American capitalists.

I'm sure Mr. Chipfield can explain how his arguments about the reverse benefits of foreign aid are different from Mr. Krushchev's; but I haven't seen the explanation.

* * * * *

The U. S. Is Committing Suicide

By SPRUILLE BRADEN

When the House of Representatives opened debate on the foreign aid bill on July 15, 1957, the opening argument against the program was given by Congressman Lawrence Smith (Republican, Wisconsin). A great deal that Congressman Smith said was taken from testimony which Spruille Braden had given to the House Foreign Affairs Committee. Spruille Braden, President of the Pan American Society of the United States, is one of America's most distinguished diplomats. In 1935, with the rank of Ambassador Extraordinary and Plenipotentiary, he served as Chairman of the United States delegation to the Chaco Peace Conference. In 1939, he served as arbitrator in the final settlement of the war between Bolivia and Paraguay. Subsequently, he served as U. S. Ambassador to Colombia; as U. S. Ambassador

to Cuba; as Ambassador to Argentina; and as Assistant Secretary of State for American Republic Affairs. The following is a portion of his testimony before the House Foreign Affairs Committee on June 3, 1957:

I believe George Washington, in his Farewell Address, made the finest statement ever put forth as to what should be U. S. Foreign Policy.

Therefore, as a layman, I should like to see a really convincing and detailed analysis of why modern transportation, communications and science so profoundly alter Washington's warnings against entangling alliances.

I should like to know if Eugene W. Castle, in his book, *The Great Giveaway*, is not right when he says:

"Many nations could support their own military establishments if they had to do so and if the United States did not lavish military aid upon them."

I should like to know how far our foreign military aid is being extended beyond reasonable lengths as a means to bring about more and quicker promotions and a more rapid turnover of material by our own forces.

I should like to know if we have not wastefully over-armed many smaller countries, who are incapable of any real self-defense and whose people cannot handle modern equipment.

I should like to know whether purely military aid has been used as a fiscal maneuver to release the recipient country's other funds to economic undertakings.

I should like to know if historians are accurate when they say that the end of Rome started when she began subsidizing the outlying tribes and nations of Europe, and depending upon non-Roman mercenaries for her defense.

Even as a civilian, I know that we can no more buy reliable allies than we can buy

friends. Peoples can only be led to war because of a dedicated idealism or evident self-interest. I also know that if we keep the United States so strong as possible spiritually, militarily, and every other way, other nations will wish to emulate and support us.

Finally, I know that our military aid to some dictators has not endeared us to their peoples.

The people of the United States are the most emotional, sentimental and generous of any, bar none. The tragic living conditions of the majority of mankind — which appear far more distressing to us with our relatively higher standards of living than they do to those who endure them — often impel us to adopt measures which will not improve the lot of the recipients of our aid, but which if continued too long, will impoverish us. Perhaps, it is this thought, coupled with the fact that so much remains to be done for our own people here at home; which now begins to stir our taxpayers.

How does our foreign aid affect the recipient nations? The Honorable Pedro Beltran, distinguished Peruvian statesman and former Ambassador in Washington, not long ago answered this question:

"If a nation relies on handouts to live... its future is doomed. As time goes on, it finds it harder and harder to get on its feet and forge its own future... It ends by making no effort to develop its own resources or be self-supporting. As long as such a state of affairs prevails, such a country will never come of age, but will continue to be dependent on others, without prospects for the future.

"It should be realized that private capital can achieve what no public treasury can do. When confidence has been established, the amount of private capital that may flow into a country is practically unlimited. Private investors will compete with one another and seek out the opportunities... but government money cannot do this, since risk venture is beyond its province. Private capital will flow... if the investor feels that he can operate in a free economy."

Our accomplishments in respect of foreign aid in this hemisphere often leave us little about which to be proud. It is pertinent to observe that:

(a) It was not the United States, as has been alleged, which primarily helped the Guatemalans to rid themselves of communist control.

(b) So soon as the communists had been driven out, our own government proceeded officially and senselessly to confirm communist calumnies against the United States.

(c) Since then we have been and are still wasting millions of dollars in grants to Guatemala. With a little judgment by the U. S. Government, these grants could be entirely eliminated and replaced many times over by private investments, which would be far more beneficial to everyone concerned.

(d) U. S. financing of marxists in Bolivia is inexcusable.

(e) By giving substantial foreign aid to Peron, we supported an enemy, a collaborator first with the nazis and then the communists and aligned ourselves against the decent and democratic elements of Argentina. Our role vis-a-vis Rojas Pinilla in Colombia, and some other dictators, has been no better.

No grants or loans — and here I include the Export-Import Bank, the International Bank and the International Fund — should be made to any country whose government by confiscation, expropriation or other unfair tactics and discrimination has already injured the investments of our citizens or even those of other foreign interests.

Nor should our taxpayers' dollars be paid to nations: (1) who do not need them, and many of whom are themselves wealthy; or (2) who turn around and give grants to other countries.

For these and other reasons, I am against the recently proposed International Development Loan Fund, i.e., a U.S. Government so-called revolving credit beginning at \$500 million and rising to \$750 million per year. This fund apparently would not supplant direct

grants of economic aid or the technical assistance program.

Under this scheme, the United States would be committed for the indefinite future, to the operation of a new bureaucracy dedicated to the principle that our citizens' money should be loaned abroad on easy terms, come what may, in "greater financial risks than those acceptable to existing institutions."

Those suggesting the creation of this Development Loan Fund forget that it is not lack of capital, but the unfavorable investment climate in a given country, which is the real deterrent to increased private investment.

The Soviets and communism never will be defeated by United States 'give-away' programs. On the contrary, our 'give-away' programs are founded on the communist doctrine that the productive workers shall support the incompetent and the loafers. Both Lenin and Stalin violently opposed all development by private enterprise and investment. They said that the backward nationalities could be communized only through prolonged aid from the advanced countries, aid such as Washington is now disbursing. Due to ignorance of communist policy and the basic Soviet plan, our government has been, and still is, subsidizing the USSR's long range campaign against the United States.

Who are the advocates of foreign aid?

They are:

(1) misguided idealists or sentimentalists, who seem to believe friendship can be bought through government-to-government grants and loans;

(2) some business and labor leaders, whose industries, thanks to this program, may sell their wares to or through the International Cooperation Administration in Washington; and

(3) above all, the thousands of bureaucrats whose soft jobs and lush expense accounts depend on the continuance of foreign aid.

The groups in favor of 'give-away' foreign aid cleverly confuse, misinform and mislead high government officials, members of Congress and many civic leaders, who haven't enough time really to track down how foreign aid is misspent. It is impossible to track down how billions are spent by going around the world in 80 days. We can't even keep track of how many millions, much less billions, are spent at home.

The plain truth is that the United States is going broke, committing suicide, by uselessly giving away billions of dollars to the rest of the world.

The direct debt of the United States is about 280 billion dollars. This vast sum is almost twice the combined debts of all other principal nations. Of this huge amount, between 100 and 120 billion dollars have been given away or loaned to foreign governments.

About three billion of our gifts have been used by foreign governments to reduce their national debts. This three billion has been added to our own national debt. It has done us no good of any kind.

By June 30, 1957, the total of United States grants and credits of dubious value

given in foreign aid since 1946 will be 60 billion dollars.

I grasp what 60 billion dollars really means when I add the assessed valuation of all real and other property in the 17 biggest cities of this country, to arrive at a grand total of just over 60 billion: New York, Chicago, Philadelphia, Los Angeles, Detroit, Baltimore, Cleveland, St. Louis, Washington, San Francisco, Boston, Houston, Pittsburgh, Milwaukee, New Orleans, Buffalo and Dallas.

We would be appalled by the mere suggestion that these 17 biggest cities, if it were possible, be shipped overseas as gifts to foreign nations. Yet, in effect, that is what we have done.

But as it is, the dollar loss and the consequent drain on us taxpayers isn't as serious as the harm done to the morals and morale of other countries and of ourselves.

Certainly over 60 billion dollars should bring us spectacular results in the way of great respect and friendship, and security from Soviet aggression. Instead, it is evident that never did so many people give away so much for so little.

Some of the recipients of our aid have turned 'neutralist' or begun playing with the

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took a leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years, spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side—the side that uses fundamental American principles as a yardstick for measuring all important issues. Smoot now has no support from, or connections with, any other person or organization. His program is financed entirely from sales of his weekly publication, *The Dan Smoot Report*.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.

communists. Other recipients are critical of the United States. For example, the French Prime Minister said:

"... the Americans managed to create something very near to hatred... by the way they gave their aid."

If after 10 years and the expenditure of an amount equivalent to the value of our 17 biggest cities, we have gained neither security nor friends, how can we possibly justify that \$60 billion? When, this year on February 4th, I put this question to Mr. John B. Hollister, the head of ICA, he replied:

"I don't know. I don't know the answer."

* * * * *

What to Do

It is by now apparent that the protests of individual voters — however voluminous — cannot compete with the well-organized, tax-financed propaganda machines which always roll into action to save major government spending programs.

It is, therefore, becoming every day more apparent that the only really effective thing that taxpayers can do to stop the tax-spend-and-elect programs of Washington politicians is to cut off the money supply — so that they simply cannot get hold of enough of our

money to finance the destruction of our freedom.

Pending — but unnoticed — in the House of Representatives are two proposed constitutional amendments. One (the Hoffman Resolution, introduced by Congressman Clare Hoffman, Michigan) would repeal the income tax amendment. Another (H. J. Resolution No. 123, introduced by Congressman Ralph Gwinn, New York) provides that:

"The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution."

There is a growing public demand that these two resolutions be combined into one and formally submitted for approval as an amendment to the Constitution.

If this were done, the gigantic, incomprehensible, uncontrollable federal government would be trimmed down to the manageable size intended by the authors of the Constitution of the United States.

* * * * *

Correction

In The Dan Smoot Report of July 22, 1957 (p. 5), Senator John J. Williams is identified as a Republican from Maryland. Senator Williams is from Delaware.

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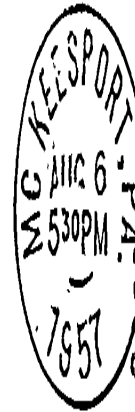
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Dan Smoot Report



DAN SMOOT

Vol. 3, No. 29

Monday, July 22, 1957

Dallas, Texas

Jencks and the FBI

The Society of Former Special Agents of the Federal Bureau of Investigation has just made a plea for all members to support congressional legislation designed to offset dangerous effects of the Supreme Court's June 3, 1957, decision in the Jencks Case.

This is the first time I have ever known the association to inject itself into a public dispute — and I have been a member since my resignation from the FBI in 1951.

With classic understatement, the ex-FBI agent's association explains its concern: "We fully recognize that the recent Supreme Court decision in the Jencks case, opening the file of the Federal Bureau of Investigation to the defense in certain criminal cases, will have a very damaging effect on, and greatly hamper the effectiveness of, the Federal Bureau of Investigation."

Here is the essence of the Jencks case:

On April 28, 1950, Clinton E. Jencks, President of Amalgamated Bayard District Union, Local 890, International Union of Mine Mill and Smelter Workers, filed an affidavit (as required by the Taft-Hartley labor law), swearing that he was not a member of the communist party.

Using FBI evidence to prove that Jencks was a member of the communist party when he filed that affidavit, the Department of Justice prosecuted Jencks for perjury — saying that he lied when swearing that he was not a communist.

The main witness against Jencks was J. W. Ford, who became an undercover informant for the FBI in 1948. Ford made regular reports to the FBI on communist party activities in the state of New Mexico. Most of his reports concerned official communist party meetings. His testimony against Jencks was, principally, that Jencks attended the meetings.

During the trial, Jencks moved "for an order directing an inspection of reports of the witness Ford to the Federal Bureau of Investigation dealing with each of the meetings

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which he said that he attended with the defendant Jencks in the years 1948 and 1949.” is a scientific investigative agency whose function is to get the facts — and let them speak for themselves.

The trial judge denied the motion.

The federal district court in New Mexico convicted Jencks, and the Circuit Court of Appeals upheld the conviction.

On June 3, 1957, the Supreme Court reversed the lower courts, ordering a new trial.

The Supreme Court held that Jencks was entitled to see all the confidential FBI reports on communist meetings which Jencks was accused of attending.

Here is the reasoning in the Court's majority opinion:

“The interest of the United States in a criminal prosecution . . . is not that it shall win a case, but that justice shall be done. . . .

“It is unquestionably true that the protection of vital national interests may militate against public disclosure of documents in the Government's possession. This has been recognized in decisions of the court in civil cases. . . .

“(But) in criminal cases . . . the Government can invoke its evidentiary privileges only at the price of letting the defendant go free. The rationale of the criminal cases is that, since the Government which prosecutes an accused also has the duty to see that justice is done, it is unconscionable to allow it to undertake prosecution and then invoke its Governmental privileges to deprive the accused of anything which might be material to his defense. . . .”

I agree entirely with this reasoning of the Supreme Court. I know from 9 and a half years experience as an FBI Agent, and from personal knowledge, that J. Edgar Hoover also agrees with it.

One theme that Mr. Hoover insistently hammers in all FBI training schools is that the FBI does not have a mission to prove somebody guilty of something or other. The FBI

Mr. Hoover is just as proud of an FBI investigation which proves a suspected person innocent as he is of investigations which result in prosecution and conviction of dangerous criminals.

No one in America has a deeper reverence for American constitutional guarantees of individual freedom than J. Edgar Hoover has. Every FBI agent knows that he is expected, above all things else, to respect the human dignity and constitutional rights of people he deals with — no matter whether they are bank presidents or penniless bums, communist traitors or ordinary hoodlums.

Mr. Hoover has the deepest respect for all the constitutional restraints upon governmental power which make law enforcement difficult in the United States.

In all criminal prosecutions, an accused person must be presumed innocent until he is proven guilty. The accused must be informed of the nature and cause of the accusation — and he must be confronted with all witnesses against him.

These constitutional provisions are the fundamentals on which J. Edgar Hoover's philosophy of law enforcement is based.

All the communist propaganda (a great deal of it written by such people as playwright Arthur Miller of Marilyn Monroe fame) about FBI agents being abusive, or violating the constitutional rights of people, or using gestapo tactics — is a lie. Mr. Hoover would instantly fire any FBI agent who did such things.

J. Edgar Hoover has never deviated from the ideal that the interest of the United States in a criminal prosecution . . . is not that it shall win a case, but that justice shall be done.”

To all FBI agents and ex-FBI agents (and to anyone else who knows Mr. Hoover) it is

therefore infuriating to read, in the Supreme Court's Jencks case decision, the noble language about the great ideals of American justice — and to see the clear inference that the FBI does not respect those ideals.

When Clinton E. Jencks was on trial, he was given full opportunity to face all of his accusers in open court. No information supplied by unnamed informants was used against him. He was permitted to examine every piece of evidence used to prove that he had lied under oath.

What the Supreme Court decision means is that Jencks and his lawyers should be permitted to rummage through confidential FBI files to find out what witness Ford told the FBI — not about Jencks — but about other people.

If such a thing were permitted, it would destroy the FBI as an effective agency for investigating subversion, treason, and other criminal activity.

When J. W. Ford was serving as an undercover informant for the FBI, he was actually a member of the communist party in New Mexico. As an official member of the party, he attended communist meetings. After each meeting, he would make a secret report to the FBI, telling what happened at the meeting and who was there.

He did not — physically, he could not — make a separate report on each person attending the communist meetings. He would simply report what happened and then list the persons who attended — making special comment only on those persons who took special part in the communist meetings.

When the Jencks case was prepared for trial, the FBI selected from the Ford reports only that information which pertained to Jencks — and only that which could be cross-checked and verified with other sources of information.

.. It is quite possible that some of the people

whom Ford listed as attending communist meetings were there for patriotic reasons and should not, therefore, be exposed to public censure. It is likely that some were secret communists whom the FBI, for obvious security reasons, is not yet ready to expose. It is more than likely that the Ford reports to the FBI on communist activities in New Mexico contain information vital to the security of the United States — information which would be of no value to the FBI if the communists knew that the FBI had it.

In short, the Supreme Court Jencks case decision — pretending tender regard for a high ideal of justice — holds that the FBI should do an injustice to innocent persons and should reveal to communists virtually everything the FBI knows about communist activities in New Mexico — the center of our nation's most important, secret research on atomic energy.

It does little good to berate the Supreme Court for handing down the Jencks case decision. The people to talk to are the members of the House and Senate. They have constitutional power to do something about the court — and there is no business more important before the 85th Congress.

* * * * *

J. Edgar Hoover's View

In 1950, when testifying during hearings of a subcommittee of the Senate Committee on Foreign Relations, J. Edgar Hoover, Director of the FBI, explained why FBI files must be kept secret.

It is interesting to note that one of Mr. Hoover's principal concerns is protection of the innocent:

"I have always maintained the view that if we were to fully discharge the serious responsibilities imposed upon us, the confidential character of our files must be inviolate. . . .

"FBI reports set forth all details secured

from a witness. If those details were disclosed, they could be subject to misrepresentation, they could be quoted out of context, or they could be used to thwart truth, distort half-truths and misrepresent facts.

"The raw material, the allegations, the details of associations and compilation of information . . . are of value to an investigator in the discharge of his duty. These files were never intended to be used in any other manner and the public interest would not be served by the disclosure of their contents. . . .

"These files contain complaints, allegations, facts and statements of all persons interviewed. Depending upon the purpose of the investigation, particularly in security cases, they contain, not only background data on the individual but details of his private life . . . the identities of our confidential sources of information and full details of investigative techniques.

"In short, they consist of a running account of all that transpires.

"For want of a more apt comparison, our files can be compared to the notes of a newspaper reporter before he has culled through the printable material from the unprintable. The files do not consist of proven information alone. . . . One report may (falsely) allege crimes of a most despicable nature. . . . The falsity of these charges may not emerge until several reports are studied, further investigation made and the wheat separated from the chaff.

"If spread upon the record, criminals, foreign agents, subversives and others would be forewarned and would seek methods to carry out their activities by avoiding detection and thus defeat the very purposes for which the FBI was created."

* * * * *

Tom Clark's Dissent

Dissenting from the Supreme Court's

majority opinion in the Jencks Case (June 3, 1957), Associate Justice Tom Clark said:

"The court holds 'that certain criminal action must be dismissed when the Government, on the grounds of privilege, elects not to comply with an order to produce, for the accused's inspection and for admission in evidence, relevant statements or reports in its possession of Government witnesses touching the subject matter of their testimony at the trial.'

"This fashions a new rule of evidence which is foreign to our Federal jurisprudence. The rule has always been to the contrary. . . .

"The rule announced today has no support in any of our cases. Every federal judge and every lawyer of federal experience knows that it is not the present rule.

"Even the defense attorneys did not have the temerity to ask for such a sweeping decision. They only asked that the documents be delivered to the judge for his determination of whether the defendant should be permitted to examine them. . . .

"Unless the Congress changes the rule announced by the court today, those intelligence agencies of our government engaged in law enforcement may as well close up shop, for the Court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets. . . .

"It opens up a veritable Pandora's box of troubles. And all in the name of Justice."

* * * * *

Pensions to Foreigners

On April 29, 1957, *The Dan Smoot Report* discussed the social security system as a bankrupt operation which is sapping the initiative and choking the freedom of American individuals.

Demands for more details were so heavy that, on July 8, 1957, *The Report* presented statistics in support of the allegation that social security is bankrupt.

One allegation made in the April 29 issue (but not further mentioned on July 8) was that 48,528 foreigners receive social security checks totaling more than 27 million, 500 thousand dollars a year.

This allegation produced curious results among Congressmen and Senators.

Senator Mike Monroney (Democrat, Oklahoma) wrote to a constituent in Oklahoma City, saying that the social security law prohibits benefits to non-resident aliens.

A nationally known radio commentator says a member of his staff worked for more than a week trying to verify the *Smoot Report* allegation that social security checks were going to foreigners. He could not do it. Some Congressmen told him the thing just couldn't happen. Others told him it might very well be true, but they didn't know anything about it.

I got the information about foreign social security pensioners from Senator John J. Williams (Republican, Maryland).

In May, 1956, I noticed that Senator Williams was discussing this issue — but was getting very little notice in the newspapers and magazines that my staff reviews.

I wrote the Senator for details.

On May 22, 1956, Senator Williams wrote me:

"In compliance with your request dated May 14, 1956, I am pleased to enclose herewith the statement I released to the *Journal Every-Evening*, Wilmington, Delaware, on May 8, 1956, relative to pensions to aliens. ..."

The statement which Senator Williams sent me was a typewriter copy of an article from the May 8, 1956, issue of *Journal Every-Evening*, Wilmington, Delaware.

The article is datelined Washington and is under the by-line of Jack Russell.

It is headlined:

"WILLIAMS ASKS HALT ON PENSIONS TO ALIENS

Says 48,528 Foreign Residents, Including Reds, Receive Social Security Each Month

"YEARLY PAYMENTS

TOP \$27,000,000

Senator Will Carry Fight for Amendment to Senate Floor if Beaten in Committee."

Here is the full article:

"Washington, May 8 — Senator John J. Williams (R-Del.) today disclosed that Uncle Sam is writing social security checks for aliens in more than 60 foreign countries, some of them Communist, at a rate of nearly 50,000 a month.

"The Delaware senator is fighting an uphill battle behind closed doors in the Senate Finance Committee to amend social security laws to prohibit any more aliens from becoming eligible for old age and survivor benefits.

"Williams disclosed hitherto untabulated figures to prove that the United States currently sends 48,528 checks to aliens or their survivors each month amounting to \$2,291,983. This amounts to \$27,503,796 a year, and the number on the rolls increases daily.

"Blasting this 'drain on the social security fund,' Williams charged that 'our social security laws never were intended to support a worldwide old age program.'

"Williams disclosed that aliens living in 11 Communist-dominated countries are eligible for the monthly payments.

"Yugoslavia citizens, according to figures supplied by the Department of Health, Education and Welfare, receive 1,437 checks a month totalling \$78,365. Another 40 checks are sent to persons living in Yugoslavia whose nationality is officially listed as 'unknown.'

"Checks for aliens living in Albania, Bulgaria, China, Czechoslovakia, East Germany, and the U.S.S.R., are held in a trust fund pending possible resumption of friendly relations with those countries.

"Williams said that 62.3 per cent of all the checks sent overseas go to aliens, while only 32.6 per cent or 31,409, go to American citizens living abroad.

"A whopping 5.1 per cent of the checks go to persons living overseas whose nationality isn't even known.

"Williams charged that in a great many cases the benefits were earned through 'minimum contributions' to the social security fund, which requires a two per cent contribution from both the employer and the employee.

"He cited one case in which an American woman invited her alien sister to this country, carried her as a housemaid, contributed the four per cent for 18 months; thereby enabling the sister to go back home with a lifetime pension.

"BULK TO SIX NATIONS

"Aliens in six nations receive the bulk of the payments: Italy, Canada, Greece, Japan, Britain, and Mexico in that order.

"Aliens living in Italy get 13,875 checks worth \$779,777 each month; in Canada 7,615 checks totalling \$321,816; Greece, 3,705 worth \$179,716; Japan 2,342 worth \$118,988; Britain, 1,791 worth \$95,833, and in Mexico (exclusive of seasonable farm laborers), 1,544 worth \$56,199.

"The department reported that 273 persons scattered throughout Africa get checks each

month totalling \$14,430, while little Portugal claims 1,344 aliens drawing \$66,242 each month.

"Williams has tried unsuccessfully in the past to get an amendment tacked onto social security legislation in the Senate. This time he thinks he has a better chance.

" 'For the first time I've got figures to back me up,' he said. 'Previously I only had an overall picture and an idea.'

He said the amendment he's offering in the finance committee, and will offer on the Senate floor if defeated in committee, would not bar payment to those aliens now on the rolls.

"WOULD BAR NONCITIZEN

" 'We've made a contract with those people we can't go back on now,' he said. 'But the amendment would bar eligibility to any non-citizen after its enactment.' Williams said the State Department previously had opposed the amendment on the basis that the payments to aliens were 'a drop in the bucket.'

"It also was charged that the Williams amendment would violate a contract, encouraged employers to hire alien labor, and to be an administrative monstrosity.

"However, Williams said he has reworked the amendment to take care of these objections, and has gathered much support in the committee for the amendment.

"He said that under the proposed amendment, aliens would not be required to contribute to the social security program, but neither would they be eligible for its benefits.

"URGES RESERVE FUND

"To prohibit employers from seeking excess alien labor to avoid the tax, Williams would have them continue to contribute their half of the fund with the contributions going directly into the fund as a reserve.

"Certainly now, at a time when we are considering lowering the retirement age of women from 65 to 62 years, is an appropriate time to also ask if we can continue to support this worldwide old age program," Williams said.

"He pointed out for instance that under present law a citizen of a foreign country which recognizes polygamy could become eligible for survivor benefits for all his wives and children by merely working in this country the required period of time to qualify for social security.

"Williams said he thinks the amendment has an 'excellent chance' to be incorporated in the bill now being worked out in committee. However, he said, if he is defeated he will reintroduce the amendment on the floor and demand a vote."

* * * * *

State Department Emergencies

On July 1, 1957, Congressman Henry S. Reuss (Democrat, Wisconsin) member of a

House subcommittee on International Operations, was leaving through State Department vouchers showing money spent from the State Department's appropriations for "emergencies in the Diplomatic and Consular Service, for expenses necessary to enable the Secretary of State to meet unforeseen emergencies."

Congressman Reuss noticed a voucher for \$223.49 that had been paid to the Gold Liquor Store in January, 1957.

Mr. Reuss wanted to know what kind of unforeseen emergency in the Diplomatic and Consular Service was involved in that item.

But the chairman of the House subcommittee (Congressman Porter Hardy, Jr., Democrat, Virginia) was interested in bigger vouchers: to wit, \$350,000 which has been paid out of this "unforeseen emergencies" fund of the State Department for public opinion polls in the United States since 1951.

Between June 27, 1956, and February 27, 1957, the State Department used \$36,318.75 out of its "unforeseen emergencies" fund to pay the Opinion Research Center at the University of Chicago for public opinion surveys on foreign aid.

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took a leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years, spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side — the side that uses fundamental American principles as a yardstick for measuring all important issues. Smoot now has no support from, or connections with, any other person or organization. His program is financed entirely from sales of his weekly publication, *The Dan Smoot Report*.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.

When questioned, administration officials admitted that the State Department's funds should not have been spent for public opinion polls.

They did not say whether it should have been spent for whisky.

Congress gave the State Department one million dollars for its "unforeseen emergencies" fund for the fiscal year which ended June 30, 1957 — and is preparing to appropriate a like amount for the fund in the current year.

* * * * *

The Mails

Once again, we have begun to receive many complaints about late and irregular delivery of *The Dan Smoot Report*.

The Report goes into the main post office at Dallas every Friday afternoon — dated the following Monday. We have never missed this mailing deadline. We receive fine cooperation from the Dallas post office and do not believe that any delay is caused here.

We respectfully request readers who are

getting poor delivery service to notify their local post office. If this does not improve service, please let us know.

And while we are on the subject of mail: since the Lewis Food Company, 817 East 18th Street, Los Angeles, California, began the sponsorship of *The Dan Smoot Report* on 18 television stations and 52 radio stations on the West Coast and in the Hawaiian Islands — our volume of daily mail has made it impossible for us to acknowledge individually all the letters we receive.

I wish I could say a personal thank-you to every one who writes me or my sponsor.

If enough Americans like *The Dan Smoot Report* well enough to subscribe to it and buy copies for their friends, and enough people go to the trouble of letting sponsors and broadcasting stations know that the buying public approves of the Dan Smoot radio and television programs: we will stay in business and grow.

If we do not receive that kind of support from individuals, we will not be able to continue — because we have no subsidies or angels or organizational support of any kind.

If you do not keep a permanent file of *The Dan Smoot Report*, please mail this copy to a friend who is interested in sound government.

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CITY AND STATE

Article Section II

Korea Salutes General MacArthur

By EDNA FLUEGEL

SEOUL, KOREA.

THERE'S A GREAT DAY coming for Korea—MacArthur Day, Inchon Day, American Day, Korea Day—in fact, several days when a whole nation plans to say “thank you” by giving.

From its poverty and urgent needs Korea has raised money—not a great sum to Americans, perhaps, but touchingly vast as a voluntary contribution from the people of the Republic of Korea. From its officialdom it has drawn a Who's Who of Korea to serve on the various planning and welcoming committees. Every class, every occupation and every business association is represented at some stage of the project. The program encompasses all of Korea, old and new, from classic dances and Mansei (three cheers) to the ROK army and a detailed schedule that reflects the impact of American military procedures on Korean public administration.

The days are September 14-20, 1957. The day of days is September 15, when a statue of General of the Army Douglas MacArthur is to be unveiled high on a hill overlooking Inchon city and the site of his—and the free world's—great victory. The location is breathtaking; the statue, even in the rough clay form in which I saw it, is a masterpiece that will satisfy MacArthur admirers the world over.

This article is being written on June 22 after a day at Inchon and a visit to Manguk to see the statue in its present state. It is one day after America's historic decision to face up to reality by modernizing military equipment here because the Communists have ceaselessly violated the armistice. It is three days after the writer stood in the “Security Area,” on Communist territory, and viewed the Bridge of No Return, with places that once were news spread out in all directions.

The scars of two Communist occupations are still vivid in Seoul, where the enemy is minutes away by jet-flight—a mere hour and a half by old-fashioned truck transport. Seoul is rebuilding, as is the whole of Korea. Though this is a city and a nation on the alert, where war is expected sooner or later, it is far removed from the fears of Washington and London—the fears that limited victory to South Korea, that deprived us of the chance to reverse the loss of China, and that may have made major war inevitable.

THIS LAND will be a military frontier of America for a long time—but it is thanks to Inchon that there is a Republic of Korea on this territory and that a frontier for both America and Korea is here at all. This the Koreans understand, both in terms of Inchon and later. Most of them believe that MacArthur was right in April 1951; many know the role he played on his return to America; some followed his great addresses and know that an aroused public opinion—further informed by such organizations as the American Legion and other patriotic societies—has contributed greatly toward stiffening American policy toward communism in Asia. And so Korea is giving this statue and these days in a tribute to a foreigner, a tribute unique in the long history of an ancient land.

Here is what the Koreans are planning. They want General MacArthur, his wife, his son and his aides to come to Korea on September 14. Everything that the Koreans could jam into the next few days is scheduled—and reportedly a large slice of the Republic will also be squeezed in somewhere between Seoul and Inchon. When a mere American tries to explain here that many American communities have also wanted MacArthur and that invitations from other countries have not been few;

the Koreans with whom I have spoken say: "But we love MacArthur. He's ours. He surely will come if he is able."

The statue I saw today is a masterpiece in the making. It is 12 feet high. When finished in bronze it will rest on a 20-foot-high base on the top of a hill overlooking the city, the island on which the initial landing was made and the water far beyond. The statue is the creation of Kyong Sungkim, Professor of Hong-ik University. With ten assistants, he has been at work about a month in a "studio" that is itself incredible to an American — yet probably very similar to the "studios" from which the world's greatest art treasures emerged. Approaching through muddy, narrow alleys, surrounded by the din and crowds of swarming Manguk, you go up a precarious flight of wooden stairs to a room barren of modern equipment — but you don't notice the room or its lack of equipment for a long time.

For there, caught by some magic of the artist's skill and devotion, is MacArthur: the strategist who had to gamble because the issues were global and freedom itself was at stake; the commander loaded with honors who risked a great career, because he alone believed it could be done. He has just lowered his field glass and probably has heard the first favorable reports. The jubilation of some of the famous photographs has not yet come — but there is a surcease of tension, an almost-calm, though not yet relaxed, feeling. There is motion, realistic appraisal; you almost expect him to turn to a companion and say, "It *will* work."

TO KOREANS, this statue and these scheduled days of rejoicing and of giving mean much. Korea has come a long, hard way. It has a long, hard way to go. It must produce and maintain the military might it needs, and the economic strength and social consciousness it must have to develop a sizeable middle class — on which alone the democracy to which it aspires can be soundly based. It is weighed down, not only with problems of reconstruction, but with a heritage of decades of occupa-

tion. It is short on technical skills, managerial ability, and leadership qualities. Surrounded by Communist enemies and a former conquerer it still distrusts, with its northern half still held by the Communists, this nation needs a "breather." Korea needs a chance to "point with pride" and, above all, a chance to give — to shower on a hero it has adopted as its own all its affection and devotion.

To Americans, this statue and these days are not without significance. Americans are not notably popular in many lands. Nor have we been overburdened with gratitude. There are other countries where Americans have fought and died, where American treasure has been freely unloaded, where America stands guard against the common foe. There are those who say that no great power should expect gratitude, and that East and West cannot meet in friendship or in mutual appreciation. But Korea is grateful and it is no small thing for one nation to enshrine as a national hero a man of another allegiance. That a man of the West kept faith with a small nation of the East and that the nation, in turn, remembers and is grateful may be a fact worthy of prayerful reflection by a disillusioned and troubled America.

Dr. Edna Fluegel is Chairman of the Department of Political Science at Trinity College, Washington, D. C., and a consultant to the Senate Subcommittee on Internal Security.

HUMAN EVENTS was founded in 1944 by Frank C. Hanighen. It is published weekly at 1835 K Street, N.W., Washington 6, D. C. and reports from Washington on politics, business, labor and taxes. It is usually published in two parts: a 4-page news section and a 4-page article. \$10 per year.

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HUMAN EVENTS

Vol. XIV, No. 29

Saturday, July 20, 1957

Washington, D. C.

News Section

Printed in Two Sections

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HIGH COURT: *Byrd vs. Warren* (page 1)
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REUTHER: *Defeat in California* (page 4)

The Great Cover-Up: What tries the souls of conservative legislators these days is the avalanche of stereotyped "liberal" propaganda which envelops Congress. This propaganda, they perceive, is designed to conceal — on one pious pretext or another — dangerous mistakes of policy by the Government. Here follows a summary of the comments of these members of Congress about what they call the "cover-up" on many issues:

• The current, soothing line of the "liberal" editorialists and their likes on the subject of the Supreme Court is: keep cool; be respectful; don't heckle; it's the law now and permanent; *etc., etc.* This does not go down, on the right side of the aisle. Yesterday, we surprised a member, a Republican at that, who was composing an eloquent attack on what he called the "Warren Court."

The boys in the cloakrooms like to repeat the following story: A judge on the bench was once provoked to say to the famous lawyer, Clarence Darrow: "I hope you will not show contempt of the Court." Darrow retorted: "Your honor can always hope" — and proceeded to get himself cited.

• The aggressive speech by Senator Harry Byrd (D.-Va.) arraigning the Supreme Court and Chief Justice Warren, pierces the "cover-up" of the High Bench and opens the way to similar straight-from-the-shoulder attacks — say impartial observers who have studied the text of the debate. They make the following points:

- (1) Never in history has any member of Congress so scathingly attacked a Chief Justice of the United States.
- (2) What Byrd said will make a deep impression throughout the country, for the Senator from Virginia is the one Southern figure who enjoys a large following in the North.
- (3) His strong words command attention, as the Senator is no "hothead," but has a reputation for speaking only after careful consideration.
- (4) Byrd knows what he is doing, and the nature of his address suggests that there are under way proposals for stiff legislation which would curb the current legislative pretensions of the Court.

• Still another aspect of "Operation Smokescreen" is the failure of the press to dig into what is termed "The Judge Burnita Matthews case." For it was a 1955 ruling by Judge Matthews which forced the State Department to issue a passport to Jane Foster Zlatovski — indicted by a Federal grand jury in New York, July 8,

on charges of spying for Communist Russia. State had previously refused to renew Mrs. Zlatovski's passport.

The result of Judge Matthews' decree was that Mrs. Zlatovski — in spite of the adverse file compiled on her by the FBI — was able to leave the United States. She and her husband now rest, apparently safe from extradition, in their Parisian "privileged sanctuary."

• Members of Congress gloomily say that Ike's suggestion for a meeting between Zhukov and Wilson is simply a part of a buildup for a conference between the Russian Marshal and Ike himself. They recall that Eisenhower fell into a Zhukov trap in 1945 when he talked with the Russian and thought he had obtained a firm agreement for a free corridor into Berlin. He failed to get it on paper. Three years later, the Russians sealed the old German capital and we were forced into the airlift operation to save Berlin.

• "Controlled press" — that term increasingly appears in the conversation of members complaining of the almost daily "cover-up." They probably have in mind the Washington situation, particularly in the years since the Chicago Tribune-owned *Times-Herald* was absorbed by the "liberal" *Post*; and the other local papers are not satisfactory to the conservatives.

Members recently used the term in connection with a rumor that Eastern newspaper tycoons are seeking to buy *The Kansas City Star*. Roy Roberts, the publisher, is aging and some stockholders reportedly might want a deal. In such an event, it was pointed out, a "press lord" in the East would control what has been a very independent newspaper. "Press lords," it was remarked, like to get invited to lunch at the White House; then they accommodatingly adjust their policy to that of the Palace Guard. In all likelihood, more will be heard about this topic.

• Like all "liberal" Democrats, Senator Mike Mansfield of Montana continues to do the work of the appeasers; he performed this mission in a speech last week, urging that Secretary Dulles visit the capitals behind the Iron Curtain. This suggestion was imbedded in long exhortations to be brave and tough with Moscow, and the speech enjoyed a great buildup in "liberal" and other papers. Dulles dismissed the idea promptly, without comment.

Right-wingers say the Mansfield proposal would actually strengthen the position of the Kremlin. They quote Constantin Fotich, former Ambassador from Yugoslavia, now and for many years known around Washington as an authority on Eastern Europe. Fotich says: "If Dulles went to those capitals, his calls on the satellite dictators would discourage the forces of resistance to communism in those countries. The people would say that the U.S. had sold them out again."

Shouts and Murmurs: Ike is blamed for acts of which he's quite innocent, while he goes scot free for other deeds for which he should be rebuked — so runs one Capitol Hill refrain. For instance, Ike sent out secretly that directive (see last week's issue) to all departments and agencies, aiming at a cutback in '58 spending of an estimated \$2 billion. Yet, the hypocritically "economy-minded" Democratic leaders unjustly accused the President of playing politics, of slyly seeking a tax cut.

On the other hand, Ike took an expensive step in the opposite direction when he signed the omnibus housing bill (passed by grace of the self-styled economy-minded Democratic leadership), cost of which runs to about \$1.74 billion. Ike coughed hard and expressed criticism of the measure but signed nevertheless. Real economy advocates have pointed out the fiscal unsoundness as well as inflationary repercussions of this bill. The President, they say, should have vetoed it. If he had, members of Congress emphasize, the Congress would not have passed it over his veto.

● But the battle for economy still hangs in the balance. Various moves in the House (too complicated and tentative to be analyzed here) indicate that the spirit for Budget reduction remains strong.

Representative Lawrence Smith's sharp criticism of the foreign aid "development" fund ("I shall never vote to surrender control over appropriations in such reckless fashion"), as well as his stern warning that spenders invite retaliation from their constituents, had a visible effect on his colleagues. Representative H. R. Gross (R-Iowa) labelled the same measure a "brand new strip-tease act" giving the President "unthinkable power." Indications are that the Appropriations Committee (the next step) will not prove generous.

● Senatorial GOP colleagues who are boosters of Minority Leader Knowland express concern these days. They fear that Knowland's handling of the "civil rights" legislation has hurt him among long-time supporters. They themselves still stand by him. They understand the significance of various complicated maneuvers guided by Knowland (which the public cannot grasp), and the necessity for their party's leader to play ball to a certain extent with the head of the party in the White House. (On some things, however, they think he's just plain wrong.) Still, knowing how these matters emerge only partially reported in the press, they can't blame Knowland's erstwhile friends, now critics.

What they fear most is that the Californian is losing a good deal of his right-wing support, which he will need in his expected upcoming race for the Governorship of his state. They say Knowland should heed Taft's dictum (which, it is true, Taft himself did not always follow) that a Republican should seek to bring out and retain right-wingers who have been sitting on their hands rather than court "liberal" votes. All in all, they ardently wish Knowland were not Senator but Governor, in safe Sacramento where he would not have to take stands on any and all contentious and dangerous national issues. The Senate, it is often said (and particularly about Taft), is the cemetery of Presidential hopes.

Disarmament: As Harold Stassen's London "disarmament" conferences wore on without result last week, a group of American scientists journeyed to Pugwash, Nova Scotia, to participate in an international thinkfest on atomic energy. Among the nine other nations represented at the meeting: Red China and the Soviet Union.

The meeting, convoked by England's fellow-travelling Earl Bertrand Russell and sponsored by financier Cyrus Eaton, has raised some eyebrows in the Capital. Such north-of-the-border hobnobbing of American nuclear scientists with Communists, it is said, raises serious questions of security and survival. (U.S. citizens travelling to Canada do not need passports.)

Amid the usual swirl of warnings about "nuclear annihilation," however, the Pugwash scientists did produce one unexpected conclusion about atomic disarmament: "a completely effective and reliable control system appears to be no longer possible."

Since inspection and control are the announced prerequisites of any "disarmament" agreement by the U.S., this statement — say students of our atom policy — should put an effective end to the belief that we can deal with the Communists by throwing down our weapons.

Meanwhile, other strong opposition has come to bear on our wistful quest for disarmament. During the past week, a brilliant speech by G. F. Hudson, Director of Far Eastern Studies at Oxford University, drew the attention of the American press. Addressing a meeting of the Congress for Cultural Freedom in England last month, Hudson characterized the "disarmament" talks as aiding the Soviets and hurting the West.

Noting the massive Soviet commitment to "conventional" (non-atomic) forces, the Oxford scholar stated (as quoted in *U. S. News and World Report* for July 19): "Even though the West has a sound case in refusing to abolish nuclear weapons without a knaveproof system of inspection and control, it is becoming more and more obvious that it cannot in any case agree to a prohibition of these weapons, because renunciation of them would leave Russia with an overwhelming preponderance of power."

Status of Forces: The Supreme Court's decision in the Girard case, analysts agree, has cleared the tracks for resumption of the suspected "deal" between Washington and Tokyo. This stratagem (momentarily derailed by the surprise ruling of Federal Judge Joseph C. McGarraghy) was first outlined in HUMAN EVENTS for June 8, 1957: "Girard is surrendered to appease anti-American sentiment in Japan . . . ; then, the Japanese authorities try him and let him off with a 'suspended' sentence. This outcome can then be broadcast around the United States as 'proof' of the 'fairness' of the Status of Forces treaties."

Now, as "liberal" commentators try to stem the tide of indignation at the Supreme Court, and to prepare public opinion for Girard's trial next month, the outlines of this strategy begin to assume more definite shape. Secretaries Wilson and Dulles, in concluding the joint statement which the Supreme Court appended to its

decision, stated that "there is every reason to believe that trial of . . . Girard in the Japanese courts will be conducted with the utmost fairness." Now dispatches from Tokyo sound a similar note.

This play on the "soft handling" of Girard, say students of the "Status of Forces" question, is merely a variation of the line long espoused by defenders of the agreements. "Status of Forces" partisans have repeatedly argued that — because our GI's allegedly receive light sentences from foreign courts — we are getting a "good deal" from the agreements. A recent example of this argument appeared in the left-wing *Washington Post*, which stated that, because of "this tendency of our allies to be lenient" with GI's who have committed crimes abroad, "Congress ought to express its gratification."

Contacted by HUMAN EVENTS this week, Senator George Malone (R.-Nev.) delivered a devastating rebuttal to these "liberal" apologetics:

"Nothing could demonstrate more clearly how far we have drifted from basic principles," Malone stated, "The question is not: *Will GI's get off with lighter sentences under a court martial or a foreign tribunal?* The question is: *Will Americans be guaranteed the system of justice accorded them as citizens by the United States Constitution?*"

Malone continued: "Our concept of justice is not a matter of 'beating the rap.' It is a matter of principles — of rights and responsibilities as defined by the Constitution. It is no more in harmony with the American Constitution that a citizen escape punishment for a criminal act than it is for a citizen to be deprived of the protections furnished by the Bill of Rights. The 'Status of Forces' agreements, even as characterized by their apologists, are a standing affront to American constitutional principles."

Continued grass-roots protest against the agreements confirms Malone's opposition. In the past week two local draft board officials, Mayor Phil Lightfoot of Tuskegee, Ala., and Samuel Barnes of Olney, Ill., resigned their posts because of the Girard decision. Barnes stated that, if the Government did not protect American soldiers overseas, he could not conscientiously participate in drafting them.

McClellan Committee: Republican members of the McClellan Committee jubilantly claim victory in their campaign to steer it onto the path of Walter Reuther and other leftist-politicking union bosses.

Some Capital observers, accustomed to skepticism in such matters, adopt a "show-me" attitude and defer judgment until they see how the Committee's new procedural ground rules work in actual practice.

GOP committeemen, however, insist that they achieved the substance of what they sought. They concede technical rejection of their proposal to break the committee down into a series of "task forces," each with its own staff investigating a particular type of impropriety.

But they claim the same ultimate aim is attained by promulgation of the list of eleven categories of alleged misdeeds which the committee will probe before it sub-

mits a final report some 18 months hence, and assignment of staff investigators to work on each category.

Furthermore, they succeeded in putting a checkrein on the committee's somewhat taciturn, twangy-voiced young counsel, Robert Kennedy. As noted in HUMAN EVENTS last week, a "rebellion from the right" has been growing within the committee for several weeks against Kennedy's obvious distaste for prying into the affairs of any leftist-politicking unions.

His reason is no mystery: he apparently believes that by staying in the good graces of Reuther and his fellow-liberals, he will be enhancing the 1960 Presidential possibilities of his brother, Senator John Kennedy of Massachusetts, a member of the committee.

Meeting this week in its first executive business session since May 28 (seven weeks ago), the committee agreed to hold a closed session every Monday to discuss progress and plans. This in itself will restrict Kennedy considerably by providing committeemen a weekly check on what he is doing.

The eleven-category list includes several items which Republicans have been demanding ever since the committee was set up last January: secondary boycotts (which will bring in the Kohler strike, among other things), strike violence (Kohler again), political activities (Reuther and Co.).

Nuclear Nonsense: That the so-called "peace-time" use of nuclear energy is uneconomic; that there should be no expectation it will be otherwise in the foreseeable future ("we are driving a nail with a platinum hammer"); and that placing atomic reactors near large urban centers as we are doing is very dangerous — these were the points made in a HUMAN EVENTS article entitled "Nuclear Nonsense," by David Shea Teeple, on February 11, 1956. Yet, the pretense that such energy is economic, or will soon be so, has been officially kept up; and no official has publicly admitted that reactors are very dangerous — until recently.

Now we find in official hearings just released that one public official has had the temerity to confirm what our article contended. The official is the famous Admiral H. G. Rickover, father of the nuclear-propelled submarine "Nautilus." Rickover is Chief of the Naval Reactors Branch, Atomic Energy Commission, and Chief of the Shippingport power reactor project. He testified March 7 and April 12, 1957, before Subcommittees of the Joint Committee on Atomic Energy. (So far what he said has not been given any significant attention by the press.) Rickover testified:

(1) The reactor at West Milton, New York, heralded a few years ago as a tremendous achievement for civilian power, is to be shut down because it is a poor financial deal for the Government.

(2) All reactors are going to cost considerably more and take more time to design and construct than was originally estimated — perhaps 50 per cent more.

(3) The Shippingport, Pa., project has already cost \$7 million more than estimated and may cost still more before it is finished.

(4) This Shippingport plant, it was originally estimated, could produce electricity for 52 mills per kwh. The present estimate is that it will cost 65 mills. *Power can now be purchased in this area from private companies for less than 5 mills.*

(5) We cannot expect to have an atomic power plant in the foreseeable future which will be competitive with conventional plants.

(6) There are a lot of things that can go wrong with reactors; eternal vigilance is required. An accident could set the whole business back a generation.

One nuclear expert, after perusal of Rickover's testimony, tells HUMAN EVENTS: "It indicates that the hucksters of atomic power have outraced the scientists. The entire Rickover testimony makes the grandiose schemes for international development of atomic power, 'Atoms for Peace,' etc., look pretty silly."

OTC: Dead for this year, is the consensus of members of the House Ways and Means Committee anent the OTC (Organization for Trade Cooperation), authorizing legislation, for which the Administration has been plugging valiantly all year.

This verdict comes in the wake of an abortive attempt by a group of Democratic committee members to open the subject up for public hearings — an attempt seen by colleagues as an obvious move to embarrass GOP members. It failed because the Republicans refused to take the bait, and unabashedly voted against hearings on OTC despite incessant White House pressure for its approval.

The Democratic gesture came in connection with a bill to provide tariff protection for domestic producers of lead and zinc, suffering acutely as a result of the ending of the Government's stockpiling of those metals. The committee had already approved the bill in principle, but decided to hold brief hearings on it late this month before formally reporting it to the House. Then it decided to expand the hearings to include possible revision of the "anti-dumping" law, aimed at preventing foreign countries from "dumping" goods in this country at below-cost prices.

At this point, the Democrats proposed expanding the hearings further to include OTC. They were voted down, however, by more reasonable Democrats and Republicans.

The proposed OTC would administer the highly controversial and highly internationalist General Agreement on Tariffs and Trade — GATT. Opposition has been growing steadily ever since the Eisenhower Administration first proposed it two years ago; critics charge it would lead to even greater cuts in already-slashed U.S. tariff rates.

Defeat for Reuther: The Board of Supervisors of Los Angeles County, California, handed UAW boss Walter Reuther a stiff defeat last week, as it rescinded a "boycott" resolution aimed at the Kohler plumbing goods company of Kohler, Wis. Los Angeles had adopted the resolution April 19, 1956 — in response to Reuther's "boycott Kohler" vendetta — directing the County purchasing agent to refrain from buying goods

from companies "violating Federal labor laws" (Reuther's charge against Kohler).

Chief factor in the rescission was the legal opinion of Los Angeles County Counsel Harold W. Kennedy, who informed the five-man Board of Supervisors that its action of a year ago was illegal under California state law. Kennedy advised the Supervisors that County bidding in California must be free and competitive, and that contracts must be let to the "lowest responsible bidder."

This point was raised by Father Edward A. Keller, discussing the boycott resolutions in HUMAN EVENTS for February 23, 1957 ("Can Reuther's Boycott Bring Kohler to Its Knees?"). "The legality of such ordinances," wrote Father Keller, "is highly questionable, because most states require awarding of a contract to the lowest bidder."

A possible contributing factor in the Board's reversal, believe authoritative sources in California, was the warning sounded by about a dozen companies in the East and Middle West. These firms had declared that, if the boycott remained in effect, they would make no purchases in the Los Angeles area.

Book Event: *Usurpers—Foes of Free Men*, by Hamilton A. Long; Post Printing Co., 18 Beekman Street, New York 38, N.Y.; 114 pp.; \$1.00.

That the Federal Government is grasping "vast new powers" without "the consent of the governed," and thus violating the intent of the Constitution, is the thesis of this fully documented brochure by a member of the New York State Bar. In particular, the attempts of the Supreme Court to stand the Constitution on its head receive close examination.

Citing Court decisions and opinions, Mr. Long shows how the limits of the Federal Government's power had been clearly defined by the Supreme Court for generations prior to 1937; with a lawyer's eye he critically analyzes the Court's policy since that date. "Must" reading for those who want a crisp analysis of the root-causes behind our "constitutional crisis."

Letter from ROGER H. FERGUSON, Editor and Publisher, *The Cincinnati Enquirer*: "The courageous objectivity in the presentation of the news behind the news by HUMAN EVENTS has been invaluable to me and my editorial associates in aiding us to meet our obligation to the readership we serve. HUMAN EVENTS is rendering a distinguished service to the cause of straight-thinking in these perilous times."

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Article Section

Printed in Two Sections

This important article by Professor Wess — calling for a return to economic sanity — affords YOU an opportunity to help scores of people in YOUR community or in YOUR industry who may profit by such a warning. Send copies of this article to labor leaders, teachers, presidents of civic organizations, newspaper editors and publishers. If you are an employer, send a copy to each of your employees. And — most important — send copies, along with your own comments, to your Congressman, your two Senators, and your representatives in the state legislature.

WHAT IS PAST IS PROLOGUE

The Sickness of Our Economy — And How to Cure It

By HAROLD B. WESS

*Professor of Business Administration and Marketing,
The American University*

IF THE MAJOR TRENDS in our country of the last 25 years are not reversed, we will end up in the same plight as Great Britain and France now find themselves — or perhaps in an even worse condition. It is a great pity that the only true free enterprise system today, which saved the world from tyranny in World War I, from nazism and fascism in World War II, and the only power capable of saving the rest of the world from enslavement, has been allowing itself to bleed to death because of failure to face the facts as they exist and to take appropriate action.

A trend can only be stopped or reversed if the underlying causes are discovered soon enough and eliminated. This we have not done. We have preferred optimistic forecasts and pleasant prophecies. Can we not agree that our recent years have been dominated by inflation? Why should we expect this trend to stop? We are now caught in a vicious circle; the more the Government spends, the more inflation; the more inflation, the higher the Government expenses. Another vicious circle is the continuing increase in labor costs; the higher the prices, the more inflation; the more inflation, the higher the labor costs and prices — until the bubble bursts, as it must.

Budgets — Federal, state and local — have been rising and will continue to rise despite pious speeches made about cutting government expenses. Consumer prices, which have doubled since 1939, will continue to go up as they have in recent years despite promises made by those who

ought to know better. Confiscatory taxes of business firms and the individual will continue to go up despite talk of tax cuts and they will continue to go up at the Federal, state and local level unless the underlying reasons for their rise are changed or eliminated. There is no indication that those who promise tax cuts are doing any more than wishful thinking. As a nation, we seem to prefer dealing with symptoms rather than the disease itself.

FEATHERBEDDING AND RESTRICTIVE practices by labor unions sap the great productive power of our country and will continue to do so unless the trend is reversed. Restrictive practices are reducing employee productivity and potential productivity, soaking up the benefits that should be derived from automation and better tools and machines.

It is predicted that by 1975 we will have a population of 220 million and that 12 to 15 per cent of that population will be over 65 years of age, with fixed incomes steadily purchasing less as the value of the dollar is reduced. This inflationary squeeze will make it exceedingly difficult for this group to exist except at the lowest living standard. Further, in 1975, despite increased automation and greater productive know-how, the labor force to support a population of 220 million will be inadequate because of the higher proportion of those under 21 years of age and those over 65 years of age.

Unless labor statesmanship reverses its present type of leadership, which still behaves as if we

were living in the depressed 30's instead of the prosperous 50's, the present trend of giving less and less work for more and more money will so reduce our productive power that we may achieve full employment in a decaying economy. If the average worker knew where this process will lead him and our country, I am certain that he would stop, look and listen; for the inevitable results of continuing these policies will be the complete elimination of the profit incentive — resulting in socialism and slave labor. Russia is a good example of a country with full employment, bureaucratic mismanagement (as evidenced by recent proposals for reorganization), captive unions, and a very, very low standard of living.

It is significant that a person of the economic persuasion of writer John Dos Passos says that the best way to put a man in the frame of mind to learn is to give him a "good scare." His "scare" follows: "One of our problems today is how to control and direct our own American type of socialism. If we don't, socialism will run mad as it has in Russia and China." Dos Passos is calling a spade a spade and correctly characterizing the present trend of our economy.

Here is another "scare" which I hope will arouse the American people out of their lethargy before it is too late. Dr. Karl Fuerbringer (Viennese economist; translated by H. Howard Thurston), says: "If socialism, a scheme of mediocrities rather than men of proven ability, is financially unworkable, what happens when the United States is at last socialized by confiscatory income taxes and strangulation of industry in the British manner? Without a capitalist nation to produce wealth, civilization may expect chaos."

WHAT GOOD WILL IT do labor to get higher and higher wages, shorter and shorter hours, more and more restrictive and featherbedding practices if in the end union members become the victims of labor dictators, or find themselves paid with a dollar that is almost worthless? Somehow we must get across to the working man in this country that the ideas contained in a letter sent by Walter P. Reuther to President Eisenhower on Nov. 28, 1956, apply to labor as they do to the other segments of our economy. Reuther stated:

"Ours is the challenge of achieving the delicate economic balance within the framework of our free economy in which we encourage maximum voluntary economic decisions, with a minimum of Governmental economic directives. The degree of Government interference into our eco-

nomic life will be determined in a large measure by the degree of social and moral responsibility and concern for the general welfare that free economic groups demonstrate in making their voluntary economic decisions. When free economic groups fail to carry out their basic social and moral responsibilities to the community as a whole, the vacuum created by such failure will inevitably be filled by greater Government intervention into the economic sphere and the area of voluntary economic decisions will be narrowed in like proportion."

I would like to emphasize one sentence from this letter:

"The degree of Government interference into our economic life will be determined in a large measure by the degree of social and moral responsibility and concern for the general welfare that free economic groups demonstrate in making their voluntary economic decisions."

Reuther, by his actions, seems to think that the "social and moral responsibility and concern for the general welfare" applies to every segment of our society *except labor unions*. I insist, on the other hand, that labor unions have a decided moral and social responsibility for the general welfare of our economy and society and that with very few exceptions, present labor leadership is not supplying it. The moral and social responsibility of labor unions to the general welfare of our economy may in the end be the determining factor of our whole way of life because of the great strength of labor unions both in numbers and accumulated wealth. I suggest also that political parties may give in to the demands of labor unions to win support of their members, although such "friends" may prove labor's worst enemy.

We have heard a great deal about labor's productivity; but the fact is that labor's productivity is the result of better tools, better machines and innovations in production know-how. We must not forget also that in past years there has been a shift of workers from the farm to industry, from low productivity on the farm to very high output in industry, thus accounting for part of the increase in labor productivity. How long these factors will be able to counterbalance featherbedding and restrictive practices artificially forcing a low output per man-hour is a crucial question.

The Congress of the United States should at the earliest possible opportunity make a thorough investigation into the featherbedding and restrictive practices which will ultimately strangle our economy if unchecked. It must protect labor against itself as it is now protecting labor's

rights and pension and welfare funds — which apparently the labor unions were unable to do for themselves.

An investigation into the building industry, for example, will show that it is riddled with featherbedding and restrictive practices. In the April issue of *Fortune* magazine, there is a statement which I know to be true from my own experience as a builder of branch stores for a large department store.

"The building industry has done nothing to end labor practices that demand a day's pay for an 'engineer' to press a button starting a cement mixer at the beginning of the work-day, press the button once again at the day's end."

This is not an isolated example. I remember having to discard about \$25,000 worth of metal shelving and substitute wooden shelving because two labor unions insisted that each had the right to make the installation and each threatened to strike if the other did the job. If one union struck, all the other unions on the job — and there are many on a building project — would walk off too.

I remember one man sitting on the roof of the building under construction, day after day, doing absolutely nothing, but he had to be there to represent his union because of some restrictive and featherbedding interpretation union leaders made for the particular job.

The high cost of building, which practically makes it impossible to produce housing at prices the general public can afford to pay, will continue so long as we permit restrictive featherbedding practices to exist in the building industry today. In this connection, *Fortune* quotes a pertinent excerpt from *House and Garden*:

"Costs hardly seem to matter if you could just get FHA to cover them in its appraisal. . . . We learned to hide increased costs under easier terms. What difference did it make if your price went up from \$10,000 to \$12,000 if extending the mortgage from 15 to 20 years made the monthly payment lower on the higher price. The truth is that it made virtually no difference at all to the builder so long as the easy mortgage money lasted, and so long, of course, as climbing costs had not too drastically narrowed his market."

Mr. Peter Drucker in his recent book, *The Next Twenty Years*, has this to say: "Housing will be a major political issue — nationally as well as locally. We are at present building in the new industrial areas some of the worst slums this country has ever seen. . . . These new slums are expensive but the fact that a tar paper shack

costs \$14,000 does not make it any less of a shack."

Those who keep agitating for cheap Government money as the answer to building more and more houses, and of course at higher and higher prices, are following the dangerous pattern of the times. Getting a Government subsidy has become a matter of "each for himself" rather than a matter of ethics and the well-being of our total society. Something is happening to the moral fibre of our society. The so-called robber barons of the past would be shocked at the kind of invisible robbery we tolerate today.

THE TRAGEDY SLOWLY unfolding for us is the more serious because the big companies are no longer in the hands of the owners but in the hands of professional managers. Inevitably there must be a difference, and there is, between an owner and a paid manager. I believe it is not unfair to say that it is easier and safer for professional management to give in to union demands, no matter how unreasonable, and then pass the increased costs on to the consumer. I think that is exactly what has been happening. Once that pattern has been set, the small businessman is completely helpless and must accept higher costs whether he can afford them or not. As a matter of fact, in many cases, such as the building industry, for example, the contractor works under the authority of the labor unions rather than vice versa.

If what I have said thus far prompts someone to suggest that I am anti-union, I must state very emphatically that I believe in labor unions. I believe they could be and have been in many ways an asset to our economy. I believe in the rights of labor to bargain collectively but I also believe that labor must voluntarily give of itself freely to raise production to even a higher level and make its moral contribution to our total social structure. I believe in higher wages when tied to increased productivity. I believe the working man is first a citizen of the United States and only secondly a member of a labor union — and labor leaders must not be allowed to behave as though a worker is first a member of a union and only secondly a citizen of the United States.

The great economist, Joseph Schumpeter, just before his death in 1949, stated that he was pessimistic about America's ability to survive because he felt that the American public does not understand the danger of inflation and that inflation is destroying our society.

This is a very serious indictment of the leadership of both our political parties because they

know that to prevent inflation we must resort to unpleasant and uncomfortable measures. They know that those measures, for a time, may be even more unpleasant than those which were taken to combat depressions. But they have been reluctant to educate the public to the fact that it is not a depression that threatens our economy but that the imminent danger is inflation and the destruction of the middle class. For, historically, inflation has usually destroyed the middle class.

The recent political campaign is a clear example of the lack of public interest in issues that vitally affect the future of our country but are not debated. The public's lethargy to the basic economic problem and the failure of courageous leadership to wake them up is a very serious threat to our country.

In the face of what has been happening in the past, can those who glibly talk about any significant reduction in Federal, state and local expenditures or significant reduction in Federal, state and local taxes be serious? Our people must not be misled by false promises and prophecies. As a matter of fact, the people who talk about reduction in Government expenditures must know, for example, that at least 30 per cent of the increase in defense procurement expenditures in the last ten years is due to the fact that prices have risen. Inflation accounts for at least 20 per cent of all increased Government spending in the last ten years. How can anyone promise significant cuts when month after month prices go up and the value of the dollar is eroding?

The Economist, the noted British weekly, in a recent issue presented "Parkinson's Law," which states that British Government employees multiply by about 5 per cent a year, even though their total output does not increase in proportion. This should have a familiar ring for us too!

The National Bureau of Economic Research found that in the United States, between 1900 and 1950, labor rose about 125 per cent, while the number of government employees increased almost 500 per cent. In 1900 one employee in 25 worked for the Federal, state or local government. Now it is one employee in every eight. In this connection the First National City Bank of New York concludes that, "if these trends are projected into the future, one finds that in the year 2069 we will *all* be working for the government."

I HAVE STATED that, unless the trend of the last 25 years is reversed, we will end up in the same plight as Great Britain and France

or perhaps even worse. There, featherbedding on the part of labor, restrictive practices and confiscatory taxes have almost destroyed the economy and put them on the brink of, if not into, socialism. The incentive to expand and to reinvest earnings in better and more productive machinery has been lost in these countries, knowing as they do that increased productiveness of machines will be soaked up by labor and any better profit will be consumed by taxes.

If the trend here is not changed or stopped, it must inevitably bring us also to the brink, if not directly into, socialism and an economic system abhorrent to freedom-loving Americans. The real danger is that we are rapidly approaching the hour of decision, and it will take many courageous men of stature who would "rather be right than President" to turn this tide.

If the American people, *all* the American people, understand the real meaning of recent trends and where they are leading us, they will face up to the situation. It will not be necessary to feed them political tranquilizers in order to keep them ignorantly happy.

I have great faith in the common sense of the American people and therefore I cannot help but believe that the right kind of leaders will emerge from labor, from government, and from industry, in time to save us from losing the social and economic system which has proved to be the bulwark against communism, nazism, and fascism and is the only strong social system left that the rest of the world can count on to keep it free.

Professor Wess is a former Vice President of R. H. Macy & Co. He is now Program Director of the School of Business Administration, The American University, Washington, D. C.

HUMAN EVENTS was founded in 1944 by Frank C. Hanighen. It is published weekly at 1835 K Street, N.W., Washington 6, D. C. and reports from Washington on politics, business, labor and taxes. It is usually published in two parts: a 4-page news section and a 4-page article. \$10 per year.

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Name.....

Street.....

City.....Zone.....State.....

February 19, 1958

REC-18 62-102576-7
EX - 126

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/23/81 BY SP7 MAC/CP

b6
b7C

[Redacted]
New York, New York

Dear [Redacted]

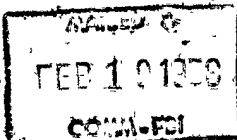
I have received your letter of February 13, 1958, with enclosure, and your most generous remarks concerning the FBI, its personnel and my administration of its affairs, are deeply appreciated.

It was thoughtful of you to send me your views concerning the peril to our internal security represented by political subversion, and while, as you are aware, I cannot comment regarding information contained in the publication concerned, you must be equally aware of my position and that of the FBI on this subject.

As of possible interest to you, I thought you might like to have the enclosed copy of my remarks before the American Legion National Convention at Atlantic City, New Jersey, on September 19, 1957.

Sincerely yours,

J. Edgar Hoover



Enclosure
CFM:lmh:hpf (4)
cc - Mr. Jones

NOTE: Correspondent not identifiable in Bufiles. He enclosed copy of "The Dan Smoot Report" 2/10/58. Smoot, former SA, EOD 3/23/42 and resigned 6/15/51. During inspection of Dallas Office in Spring of 1951 he made several unfounded charges against his SAC, and as result of his failure to inform Bureau earlier of same matters, he was censured, placed on probation, transferred and shortly thereafter resigned. Attitude prior to his resignation and subsequently was antagonistic and unjustified, and he was recommended unfavorably for reinstatement. He has been formerly associated with "Facts Forum"

1958

FEB 19 4 20 PM '58
FBI ROOM

Mr. Tolson ☒
Mr. Boardman ☒
Mr. Belmont ☒
Mr. Mohr ☒
Mr. Nease ☒
Mr. Parsons ☒
Mr. Rosen ☒
Mr. Tamm ☒

b6
b7C

February 13, 1958

Mr. Holloman
Miss Gandy

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/23/77 BY SP7WJ/4

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C.

DAN SMOOT

Dear Mr. Hoover:

This letter is prompted by a sincere desire to find out the truth and status about certain information I have been the recipient of in the form of what might be called political news letters -- which if true, definite action should be taken in some form to protect our Republic.

My reason for writing you is based on my deep appreciation and respect for you and the F.B.I. In the past few years I have had the privilege to hear you speak before certain organizations and was greatly moved by your exposures and explanations of problems and conditions facing the nation. I also have had the opportunity to know a few men who worked for the F.B.I. and I must say with all honesty that they were among the cleanest cut, sharpest group of men with great devotion to duty that I have ever met. I personally feel that our nation owes a great debt of gratitude to you and the people who make up the F.B.I.

EX-126 REC-18 62-102576-7

Among the "news letters" that I have been receiving, and I single it out because it seems to make the most logic and patriotic appeal, is one called "The Dan Smoot Report". I enclose such a report. I have been receiving these for several months and they reveal supposed facts of current un-American activities -- not so much of previous years. Recent hearings of the House Committee on Un-American Activities are quoted to justify facts which one never reads in newspapers or news magazines. I had been aware that during the 30's, 40's and early 50's that our country was in great internal danger -- but from the various news letter reports I've been receiving, it's in even greater danger because our guard is now down.

FEB 14 1958

ENCLOSURE ATTACHED

EX-126

ack 2-18-58
CFM

20000
7-28-58

DMV

RECEIVED

If the facts that have been presented by Mr. Smoot in the past twelve reports are true, in part or whole, it seems that concentrated action should be taken by you, the Attorney General and the President. If political roots prevent normal approaches, certainly the situation would warrant direct action with the President to Congress and, if necessary, the people.

The average citizen like myself cannot prove the facts, we can become alarmed, vote and write our public servants, but that's about all. I believe it needs the active exposure by crusading and informed men such as you. I appeal to you to do something very positive if the situation warrants it. From the facts available to me the normal routine approach will not do it.

As to my request about the truth or distortion of the facts in the news letters -- I know that it would be unwise for you to put your stamp of approval on any such publication or private enterprise or political side -- and I certainly do not desire to put you in that position. I do, however, request, if possible, some type of gauge or measure to analyze the evidence that is today being put to many Americans as the truth. I frankly tend to believe a lot of the information in the reports -- based upon past actions and exposures by the F.B.I.

May I again thank you for your great contribution of effective service to our nation.

Sincerely yours,



spi/cw

b6
b7c

THE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/23/77 BY SP7 mly/y

Dan Smoot Report



DAN SMOOT

Vol. 4, No. 6

Monday, February 10, 1958

Dallas, Texas

Operation Abolition

Last week (February 3, 1958) I quoted from an August 30, 1957, report of the House Committee on Un-American Activities, to the effect that the communist party has set up over 200 front organizations to carry out the communists' campaign of political subversion in the United States. A principal purpose of the campaign is to eliminate the security system of the United States: to destroy all anti-communist laws and to stop all FBI and congressional investigations of communists.

I pointed out that the first objective of this communist campaign, destruction of America's anti-communist laws, has already been reached: Supreme Court decisions in 1956 and 1957 have made it virtually impossible for either state or federal governments to take any effective legal action, against individual communists or against the communist party itself.

On November 8, 1957, the House Committee on Un-American Activities released an official report called "Operation Abolition."

"Operation Abolition" deals with current communist efforts to complete the campaign for crippling America's efforts to protect herself against subversives.

The House Committee on Un-American Activities says that the campaign is spearheaded by the Emergency Civil Liberties Committee, a communist front, and that it has four distinct objectives:

- "1. Destruction of the House Committee on Un-American Activities;
- "2. Extinction of the investigative powers of the Congress in the field of subversive activities;
- "3. Restriction of important functions of the Federal Bureau of Investigation in the investigation of subversive activities; and
- "4. Creation of a general climate of opinion against the exposure and punishment of subversion."

In my discussion of communism last week, I explained how the communists—although a despised bunch of shabby people themselves—manage to get non-communists (liberals,

THE DAN SMOOT REPORT, edited and published weekly by Dan Smoot, mailing address P. O. Box 1305, Dallas, Texas, Telephone DAVIS 8-2464 (Office Address, 1032-A Knob Oak). Subscription rates: \$10.00 a year, \$6.00 for 6 months, \$3.00 for 3 months, \$18.00 for two years. For first class mail \$12.00 a year; by air-mail (including APO and FPO) \$14.00 a year. Reprints of specific issues: 1 copy for 25¢; 6 for \$1.00; 50 for \$5.50; 100 for \$10.00 — each price for bulk-mailing to one person.

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62-102576-7

dupes, do-gooders, politicians, and sympathizers) to do the real work of the party.

This feat is accomplished (in part) through a system of "official fronts," (that is, organizations whose communist control is recognizable); and secondary fronts (that is, organizations which cannot be characterized as communist-controlled, and which may even appear to be anti-communist).

The communist party line is set in Moscow. It is announced in America by the communist party organization. The line is then filtered through the "official fronts" to the "secondary fronts," and from there to a multitude of respected organizations which do the real work of moulding public opinion.

Let's trace an actual example of this remarkable process.

As the House Committee on Un-American Activities November 8, 1957, report, "Operation Abolition," sets out, the communist campaign to cripple America's security system and to brainwash the public into opposing the exposure and punishment of subversion, is spearheaded by an official communist front, the Emergency Civil Liberties Committee.

The Religious Freedom Committee is working hand-in-glove with the Emergency Civil Liberties Committee, but the RFC operates one step above the ECLC—"above" in the sense that Religious Freedom Committee has not been officially classified as a communist front.

The Religious Freedom Committee's objectives are clearly stated in a letter which Janice M. Roberts, Secretary of the Committee, sent to the membership of the organization on December 27, 1957.

Miss Roberts says:

"Religious Freedom Committee... has worked for years to reform the Un-American Activities and

Eastland Committees... with almost no results. We are among the growing number who have come to realize that they cannot be reformed, and have taken the major step of advocating their abolition as the only sure way to stop their continuing defiance of the Bill of Rights.

"As you know, your Executive and Administrative Committees voted to make this campaign a major part of our program this year. . . .

"Our aim is to see the end of both the House and Senate bodies, but our first efforts must deal with the House Un-American Committee . . ."

It is fairly certain that neither the Emergency Civil Liberties Committee, which is a known Communist front, nor the Religious Freedom Committee, whose objective is clearly identical with that of the communist party, could sell their ideas directly to very many sound Americans.

They don't really expect to. Their role is to filter the communist line into other organizations that can have profound influence on American thought.

The most active member of the Executive Committee of Religious Freedom Committee is Dr. Henry Hitt Crane, pastor of Central Methodist Church in Detroit. Dr. Crane, who has been associated with numerous communist causes for many years, is one of the most popular church speakers in Detroit. Thus, Dr. Crane's "message" can be spread not only from the pulpit of his own church, but from hundreds of other influential rostrums.

One extremely influential organization that makes a special point of getting Dr. Crane before a large and important audience every year is the Detroit Council of Churches.

Every year, the Council of Churches stages a special "Good Friday Service." They secure great auditoriums (usually, theaters) all over the city. Most of the biggest churches in

Detroit help to promote, through their own congregations, mass attendance at the Good Friday Service.

Every year for several years now, the preacher whom the Detroit Council of Churches honors as a principal speaker for the city-wide Good Friday Service is Dr. Henry Hitt Crane. His speech is always broadcast on radio and television.

Thus, countless hundreds of Christian clergymen and countless hundreds of Christian laymen can get Dr. Crane's "message," wrapped in the beguiling cloak of a Christian sermon.

The Detroit Council of Churches is an affiliate of the National Council of Churches. When you consider that the newly elected president of the National Council of Churches — Dr. Edwin T. Dahlberg — has had his name associated with several communist causes; that one of the past presidents, and still active officials, of the National Council is Bishop G. Bromley Oxnam, whose name has been associated with a score of communist causes; and that several other active officials of the National Council have been associated with communist causes — you can begin to see just how far the communist line can go, once the filtering process starts.

On January 13, 1958, *Time* magazine reported that the National Council of Churches is promoting a new "organized Protestant witness in Washington." This is a polite name for a mammoth, organized church lobby.

Dean Francis Sayre (prominent Episcopalian educator in Washington, nationally famous as a virulent "anti-McCarthyite," and also an official of the National Council of Churches) says that the National Council's "Protestant Witness" is not a lobby.

Dean Sayre says:

"What we are going to try to do is to throw into the discussion of national and world affairs down here what might be called ethical dimension."

What Dean Sayre might call the *ethical dimension* is what any objective observer would call a determined and undeviating stand for one-world socialism.

For years, the National Council of Churches has stood shoulder to shoulder with Walter Reuther and the extreme left-wing of unionism in agitating for Federal Aid to Education, foreign aid, all United Nations programs, expansion of government-owned electrical power producing facilities, extension of compulsory social security, and so on.

The official hierarchy of the National Council of Churches is solidly on record as opposed to what the communist party calls "mc-carthyism" and is hot for curbing the investigating powers of what the communists call the "House Un-American Committee."

Now, add to all of this the fact that the press seldom, if ever, mentions the National Council of Churches without reminding readers that the Council "speaks for 37,000,000 protestants in the United States" — and you can get some feeling of the power of this "church" organization which seems to work exclusively in the field of political agitation.

* * * * *

Brotherhood with the Chinese Communists

On January 26, 1958, Dr. Hollington K. Tong, Ambassador of the Republic of China (Nationalist China, Formosa) to the United States, made a speech at the First Baptist Church, Washington, D. C.

Dr. Tong alleged that "a minority of the Protestant clergymen and laymen in this country" have allowed themselves to become the victims of Chinese communist propaganda, by joining "in the agitation for the establishment of cooperative relations with the communist-controlled Christian churches in Red China."

Dr. Tong said:

"In the December 3, 1957, issue of the *Daily Worker*, former official organ of the United States Communist Party, I read these surprising words:

"'Dr. Eugene Carson Blake predicted today that the National Council of Churches would arrange an exchange of visits with protestant leaders of (Red) China, whenever it appears that the Chinese churches themselves wish and are prepared for such a project' . . .

"I have no doubt that their intentions are good, but . . . unwittingly, they are playing the anti-Christ communist game. . . .

"It is true that organizations still exist in Red China which call themselves Christian churches. . . . But the tragedy is that they are not Christian, except in name. They are police agencies of the communist state. Former church members are allowed to preach, provided they accept the discipline and supervision of the atheist masters of the state. The texts of the sermons are handed to the preachers by the communist functionaries. . . .

"(Genuine Christians in Red China) are endeavoring, at the risk of liberty and life, to continue their Christian services in secret and hiding. . . .

"(To uproot true Christianity, the communist regime) has wiped out in less than a decade the missionary work done by Western Christians during the last one hundred years. It has confiscated and turned to political use the churches and institutions of the foreign missions in China, most of them paid for by the contributions of the American churches, including nickels and dimes given by American children."

Strangle Hold, as Predicted

The following is a quotation from Richard E. Byrd (the father of Senator Harry Byrd), Speaker of the Virginia House of Delegates on March 3, 1910. The 16th, or Income-Tax, Amendment to the Constitution of the United States was pending at that time: Virginia never did ratify the Amendment.

"It (the 16th Amendment) means that the state must give up a legitimate and long established source of revenue and yield it to the Federal government.

"It means that the state actually invites the Federal government to invade its territory, to oust its jurisdiction and to establish Federal dominion within the innermost citadel of reserved rights of the Commonwealth.

"This amendment will do what even the Fourteenth and Fifteenth Amendments did not do — it will extend the Federal power so as to reach the citizen in the ordinary business of life. A hand from Washington will be stretched out and placed upon every man's business; the eye of a Federal inspector will be in every man's counting house.

"The law will of necessity have inquisitorial features. It will provide penalties. It will create a complicated machinery.

"Under it, businessmen will be hauled into courts distant from their homes.

"Heavy fines imposed by distant and unfamiliar tribunals will constantly menace the taxpayer.

"An army of Federal inspectors, spies and detectives will descend upon the state. They will compel men of business to show their books and disclose the secrets of their affairs. They will dictate forms of bookkeeping. They will require statements and affidavits. On the one hand, the inspector can blackmail the taxpayer; and, on the other, he can profit by selling his secret to his competitor.

"When the Federal government gets a strangle hold on the individual businessman, state lines will exist nowhere but on the maps. Its agents will everywhere supervise the commercial life of the states. . . .

I am not willing by any voluntary act to give up revenue which the State of Virginia herself needs, nor to surrender that measure of states' rights which was, and the construction of the Federal courts have permitted to remain."

* * * * *

Those Lincoln Day Blues

Mr. L. A. Delaney, 3917 Linden Avenue, Long Beach 7, California, received an invitation, from the Republican Central Committee of Los Angeles, to attend a Republican Party fund-raising Lincoln Day luncheon.

On January 14, 1958, Mr. Delaney sent the Committee the following reply, believing that, if large numbers of people would take a similar stand when solicited to support political parties, the total effect would soon be profound and wholesome:

"I have voted Republican all of my voting career, but since the so-called modern Republicans have taken control of the party and do, in my opinion, continue to lead our great nation into a socialistic state and a one-world government under the communist dominated U.N., I will support only those candidates who actively endorse the following platform:

- "1. Repeal of the 16th Amendment, re-establish a sound and stable dollar by adoption of the H. J. RES. 355.
- "2. Restore the independence of the United States. Get out of the U.N. and get the U.N. out of the U. S. End all treaties and executive agreements which supersede the Constitution.
- "3. Maintain peace with honor. Enter no more vain and futile foreign wars. Protect the western hemisphere by keeping the Monroe Doctrine. Maintain an overwhelming air power.
- "4. Recover the Constitutional rights of the 48 States and the people. Federal officials must obey their oath of office, to support the Con-

stitution, including Articles IX and X of the Bill of Rights.

- "5. Eradicate socialism in America. Support Congressional investigations into communist-socialist activities. Uphold the McCarran-Walter Immigration Act. Withdraw diplomatic recognition of communist countries. Abolish monopoly and special privileges in business, labor and government. End compulsory unionism. Stop and eliminate Federal interference with state and local schools.

"This letter is in answer to your invitation to attend the 1958 Lincoln Day Luncheon, in which you state the program will be based on our Party's responsibilities as 'trustees of the great American Heritage FREEDOM.' It is my opinion that both the Republican and Democrat parties have violated that responsibility in their apparent blind march toward Socialism and Internationalism."

Mr. W. H. Kellogg, 1322 Avenue O, Huntsville, Texas, also received an invitation to a Republican Party Lincoln-Day fund-raising affair.

On January 27, 1958, Mr. Kellogg wrote the following letter to Mr. H. J. Porter, State Republican Chairman, 4019 Montrose Blvd., Houston, Texas:

"I am highly flattered in being invited to the \$100.00-per-plate dinner honoring the Honorable Joseph W. Martin, Jr., Minority Leader of the House of Representatives.

"Please reserve me one ticket, payment for which depends upon receipt of favorable replies to this appeal being sent also to Speaker Martin, our Honorable Senators and GOP leaders.

"By way of apology for my past reactionary views and to prove that I now merit your cordial invitation to break bread with the modern progressives, I must explain the incident that brought about my conversion.

"I manage certain lands, parts of which, in the past, some Negro neighbors have been allowed to cultivate as tenants. Knowing how little cash any

small farm enterprise yields, for several years I had asked little or no rent of these tenants. Then I noticed that these small patches of land were being left idle and concluded that, even with no rent payments, our poor neighbors just couldn't make it pay. Recalling my own days of walking behind a mule and a plow, my heart was full of pity and Christian charity.

"Quite by accident, however, I discovered that, in at least two cases, the tenants had included these acres of ours with their own, and were being paid by the rest of us (i. e., the government) for not doing anything at all with this land they did not own. One man's check was for several hundred dollars, just for not growing anything on our land.

"Obviously an old-fashioned American Republican or Democrat is just out of step with the times. I might just as well join up, I guess, and maybe this \$100.00-per-plate dinner is the proper way to start. But I will need your help along with that of others to whom this letter is being sent.

"You see there is quite a lot of land I do not own too, and I do nothing with every acre of it. All told, the acres that I do not own, and do nothing with, run into uncalculated millions. I do not even know how to start to figure how much our Government owes me; but I'm sure it's important enough to justify my calling on Bernard Baruch to advise me. Or does Mr. Baruch limit his advice only to our various Presidents and not bother with mere precinct chairmen of our two parties?

"Would the GOP honor a draft for \$100.00 on the billions that I have coming to me from the Treasury? If you can push this through the Congress by February 10, the date of the dinner, I pledge myself to bring nearly all of several counties to this dinner—if ex-Democrats as well as ex-Republicans would be welcome.

"If I thought Congress would extend credit to me as they do to the British and Israel, I would beg this crumb of them. However, this could never be, since I do still cling to certain shreds of my reactionary past in being for American Independence and

against World Federation. Maybe I can learn, though.

"To indicate how hard I'm trying to learn, I recently attended a Council meeting of my Church where the delegates continued to support the National and World Councils of Churches—of Christ (as they usually add). These super-church organizations, you know, working with and through various front organizations, urge upon the Congress all sorts of political action in the name of Christianity. Thus, they do good by taking money and property by the full force of 'government' from some people and giving it to people they decide must need it more than those who earned and saved it.

"I will continue my Church attendance and also my study of the Bible and Karl Marx and try my very best to reconcile the two, and to subdue certain so-called Christian training with which I was indoctrinated in my early youth. Maybe I can yet bring myself to steal the hundred dollars from someone I feel has more than I but, in the meantime, I must save what I have—for income tax time is just around the corner.

"I do appreciate being invited to the dinner. There is so much more I could learn by sitting at the feet of the masters.

"Your help and suggestions as to how I may do so will be appreciated. Thanks millions!"

* * * * *

What Can I Do?

The letters of Mr. Delaney and Mr. Kellogg, quoted above, provide some good answers to the questions which thousands of Americans are asking: What can I do?

If you have the viewpoint of Mr. Delaney and Mr. Kellogg, you can refuse to support—with money or votes—political candidates or political parties, or other organizations, who do not stand solidly for your principles.

That negative action could have tremendous effect. But it is not enough. You must find and support political candidates who will stand for your principles. Inasmuch as there is no major political party to offer a slate of candidates who will stand honestly for American constitutional principles, you must help to create and build such a party.

But before you can have effective political action, you must have widespread political education. In practically every major political campaign, there are good constitutionalists who offer themselves for election; but they are generally defeated, because there are not enough who know enough, or care enough, to reject the well-known political candidates and support the good men.

We could learn an important lesson from the extreme left wing.

The National Committee For A Sane Nuclear Policy, 202 East 44th Street, New York 16, New York, is running a series of huge newspaper ads all over the United States. I have before me a three-quarter page ad which this Committee ran in the Medford, Oregon, *Mail Tribune* on January 13, 1958.

The ad has a scare headline which reads: "We are facing a Danger Unlike any danger that has ever existed."

The text is devoted to sensational comment about the armaments race between the United States and the Soviet Union — every paragraph hammering the theme that the race will end in the extermination of all human life: if we don't do something.

The *something* that the Committee wants us to do is simple: we must stop developing and testing nuclear weapons; and we must convert the United Nations into a one-world government strong enough to enforce disarmament upon the United States and the Soviet Union.

That, of course, would put an end to the United States of America as an independent Republic.

Who do you suppose signs this newspaper ad as members of the National Committee for a Sane Nuclear Policy? Why, a batch of the most notorious communist-fronters and extreme left-wingers in the United States!

What can constitutionalists and patriots learn from all this?

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side — the side that uses fundamental American principles as a yardstick for measuring all important issues. Smoot now has no support from, or connections with, any other person or organization. His program is financed entirely from sales of his weekly publication, *The Dan Smoot Report*.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.

In this big newspaper ad are three blocks, outlined in heavy black lines. One block contains a letter addressed to President Eisenhower — calling upon him to support the objectives of the National Committee for a Sane Nuclear Policy. The reader is urged to clip the letter, sign his own name and address, and mail it to the President. Another block is a memo addressed to the Committee, and gives the reader a convenient opportunity to send money to the Committee and request further information.

The third block is captioned "What you can do." The text in this block says:

"1. What you say and what you do make public opinion. Let the people who serve you in public office know of your apprehensions and your hopes. Above all, make your ideas known to the President of the United States.

"2. You can join the signers of this statement.

"3. You can help make it possible for this statement and other statements like it to appear in newspapers throughout the country and the world.

"4. You can talk to your friends and neighbors about the points in this message. You can discuss these matters in your church or synagogue, your club, your school, your union."

In other words, the communist frontiers and the extreme left-wingers, who have proven

that they know how to get things done, concentrate on *political pressure* and *political education* — knowing that if they get enough individual Americans agreeing with them, and stirred to action, the *political action* will come automatically.

That is what patriots must do.

When you know of a radio or TV program or a publication that applies sound constitutional principles to the discussion of current events, there is plenty that you as an individual can do.

You can encourage the sponsors of that radio or TV program, by buying their products and letting them know why. You can subscribe to the publication and get others to subscribe. And you can *talk* — to the people you know and have dealings with. Talk to them about the ideas and facts and principles expressed in the broadcasts and publications you like — and get them to listening, and reading, and talking.

This is the only possible way to create in America the "climate of public opinion" which is absolutely necessary before we can have effective political action to restore freedom and constitutional government.

If you do not keep a permanent file of *The Dan Smoot Report*, please mail this copy to a friend who is interested in sound government.

DAN SMOOT,
P. O. Box 1305
Dallas, Texas

Please enter my subscription for (_____ years) (_____ months) to THE DAN SMOOT REPORT. I enclose \$_____; please bill me for_____.

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\$18 for 2 years

PRINT NAME

STREET ADDRESS

CITY AND STATE

August 12, 1957

AIRMAIL

4K
SE 3

62-102576-1

[Redacted]
Wheless Tank Lining Company
727 West Page Avenue
Dallas 8, Texas

Dea [Redacted]

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DATE 9/12/81 BY SP7MAD/gj

I have received your letter dated August 6,
1957, regarding your [Redacted]

In an effort to be of assistance, a search
was made through our Identification Division files
but I am sorry to tell you we were unable to identify
your brother-in-law on the basis of the data furnished.
If you will send us his full name and complete
description, including date and place of birth, I shall
be pleased to have another file search made. We will
be helpful if you can also give the date that you last
heard from him.

I regret we cannot further help by conducting
an active investigation to locate him inasmuch as
there does not appear to be a violation of a Federal
law within our jurisdiction.

With regard to Mr. Dan Smoot, I wish to advise
that he voluntarily resigned from the position of
Special Agent with this Bureau on June 15, 1951. I am
unable to comment on the other information you desire
as data in FBI files is confidential and available for
official use only.

Sincerely yours,

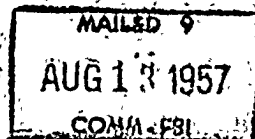
J. Edgar Hoover

John Edgar Hoover
Director

Note on next page.

EAB:dib

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71 AUG 21 1957



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Gandy

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NOTE: Writer states that in 1953 while he and his wife were vacationing in Los Angeles, she went to the Missing Persons Bureau to try to find out about her brother who was last heard of in that city. It was suggested that they write to the FBI for possible info. Unable to ident subj in CI. More info requested in order to make effective search and give consideration to placing MPN if missing less than 7 years. Corres says "I am an ardent admirer of Dan Smoot that used to work for you, He publishes The Dan Smoot Report in this city. The report is going the rounds here that he is a card-carrying Communist, And that you fired him from the FBI. I will more than appreciate your answer." Personnel file of Howard D. Smoot reflects he entered on duty on 3/23/42 and resigned 6/15/51 as a SA. Bu file shows that during an inspection of the Dallas office in 1951, Smoot was censured, placed on probation, and transferred, and shortly thereafter, resigned. His attitude before his resignation & subsequent thereto was extremely antagonistic and unjustified; therefore, he was recommended unfavorably for reinstatement.

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Phone: Winfield-1896
Please answer call LA-4

Mr. Tolson
Mr. Nichols

WHEEL

727 W. Page Ave.

Dallas 8, Texas

Plasite, Polyethylene Flame Spray, Metallizing and Cement linings.
A lining for every tank.

AN INVESTMENT NOT AN EXPENSE.

August 9-57.

Hon. J. Edgar Hoover
Administrative Head FBI.
Washington, D.C.

Dear Mr. Hoover:

Back in 1953 my wife and I were visiting in Los Angeles and she went to the Missing Persons Bureau to try and find out something about her brother that was last heard of in that city.

The man in charge of that department found where he has last resided but did not know where he was at that time. He requested that we write the FBI. and that they very likely could give us some information on him. His name is Roy O. Daily. Any information that you can give us will be very much appreciated.

There is also another very important question that I would like for you to give me the answer by return mail. I am an ardent admirer of Dan Smoot that used to work for you. He publishes The Dan Smoot Report in this city. The report is going the rounds here that he is a card carrying Communist, and that you fired him from the FBI. I will more than appreciate your answer.

Use the enclosed stamped envelope.

SE 3

162-102576-13
NOT RECORDED
76 AUG. 16 1957

1957

Yours truly,

b6
b7C

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Dan Smoot Speer 1/5
162-102576

67 Aug 9-57
J. Edgar Hoover

ALL INFORMATION CONTAINED
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DATE 7/2/77 BY SP-10-1

CREATED

EX-110

June 10, 1958

Mr. Franklin B. Clark
District Superintendent of Schools
Athens, New York

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/23/77 BY SP7-MAC/4

Dear Mr. Clark:

Your letter of June 3, 1958, has been received,
and the interest prompting you to write is appreciated.

In connection with the matters you mentioned, I wish to point out that I have maintained a policy over the years of not injecting my name or that of the FBI into local issues of the nature you described. For your personal information, Mr. Howard D. Smoot entered on duty as a Special Agent of the FBI on March 23, 1942, and voluntarily resigned effective June 15, 1951. Since his resignation he has had no official affiliation with this Bureau, and, of course, any personal comments or observations by him should not be construed as having FBI sanction. Our position in his case is no different than it is for all other former employees. In addition, it is not within my province as Director of a Federal investigative agency to issue clearances or endorsements of any type for individuals, publications or organizations. I know you can understand the reasons for these rules, and why it is not possible for me to assist you with your problem.

Sincerely yours,

NOTE: Bufiles reflect no derogatory information regarding Clark and no prior correspondence with him. Smoot EOD 3/23/42 as SA, resigned 6/15/51, and transferred due to several unfounded charges made by him against his SAC and due to a dereliction in not apprising the Bureau of certain matters. His attitude before his resignation and subsequent thereto was extremely unjustifiably antagonistic and he was not recommended favorably for reinstatement. Obviously, the Director has no desire to become involved in this controversy mentioned by Clark. It is believed, however, that we should clearly point out that Smoot's opinions and comments are his own and do not in any manner represent the FBI.

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MAIL ROOM ☐

59 JUN 23 1958

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THE STATE EDUCATION DEPARTMENT
FIRST SUPERVISORY DISTRICT OF GREENE COUNTY

FRANKLIN B. CLARK
DISTRICT SUPERINTENDENT OF SCHOOLS

ATHENS, NEW YORK

June 3, 1958

Hon. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

The DAN SMOOT REPORT, published in Dallas, Texas

for May 5, 1958, on the subject of World Health Organization, is being quoted and circulated by a local group which is in opposition to the appointment of a county mental health board and the appointment of a school psychologist. On page 7 appears the following:

"WHO IS DAN SMOOT?"

"In 1942, he took leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard..."

"He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover."

On page 2 it states, "Alger Hiss also wrote the preface to Dr. Winslow's report on the World Health Organization..."

Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. Clayton
Tele. Room
Mr. Holloman
Miss Gandy

EXP. PROC.
JUN 5 1958

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PERC FILES

Hon. J. Edgar Hoover
Page 2
6/3/58.

On page 3 it states, "Thus, WHO has a charter to use tax money (most of it taken away from Americans) for promoting the establishment of a one-world socialist state-- the same objective that Alger Hiss was promoting when serving as a Soviet spy."

The Greene County Committee for Preservation of Sanity, as our local opposition group call themselves, stated in a newspaper advertisement May 16, 1958, "The Greene County Board of Supervisors has committed its constituents to one of the WORST SCHEMES ever devised by the plotters in the United Nations World Health Organization..."

"A former F. B. I. agent, administrative assistant to J. Edgar Hoover and nationally known commentator, Dan Smoot, reports that this mental health program is the most dangerous scheme ever devised to get rid of 'bothersome persons' or those in opposition."

The New York Times for May 30, 1958, stated:
"MINNEAPOLIS, May 29 (AP)-- Dr. Leroy E. Burney, Surgeon General of the United States, was elected president today of the World Health Organization."

Can you send me a statement either disassociating yourself from the private opinions of the DAN SMOOT REPORT, or affirming your confidence in the loyalty of Dr. Burney, or both? Please state whether or not I may quote your reply.

Respectfully yours,

FBC:fdc

F. B. Clark
F. B. Clark

June 11, 1958

62-102576-9

[redacted]
Azusa, California

Dear [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/24/77 BY SP7 mly/y

The letter from [redacted] and you, with enclosures, was received on June 6, 1958. While I would like to be of assistance, I must advise that the function of this Bureau as a fact-finding agency does not extend to furnishing evaluations or clearances of individuals, organizations or publications.

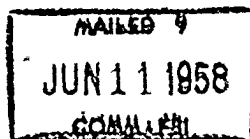
b6
b7c

Supplying information of the type you have requested would, in effect, constitute an approval or disapproval of the publications you mentioned; therefore, I regret I am unable to comply with your request. I am sure you will understand the necessity for this policy and will not infer that we do or do not have in our files the information you desire.

Many thanks for your comments concerning "Masters of Deceit," and I appreciate very much the fact you are recommending this book to your friends.

Sincerely yours,

J. Edgar Hoover
John Edgar Hoover
Director



REC'D-READING ROOM

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NOTE: Bufiles contain no identifiable information on [redacted]. Enclosed with their letter was the May 15, 1958, issue of "The New Letter" and "The Dan Smoot Report" issue of November 18, 1957.

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53 JUN 19 1958

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MR. MA 4241

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Mr. Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
Clayton
Tele. Room
Mr. Holloman
Miss Gandy

[Redacted]

Yuba, California

*Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D. C.*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/24/81 BY sp1 mcl/y

b6
b7C

Dear Mr. Hoover,

*We would appreciate your advising us if "The
New Letter" published by [Redacted]*

*[Redacted] Calif., is true. We have read
the last few issues and they certainly print facts that
stir us.*

*Also, can you advise us about The San Antonio
Report, which comes from Dallas, Tex. 62-102576-9*

NOT RECORDED
145 JUN 16 1958

*We have no way of knowing if the facts
expressed by them are true and ~~if~~ ^{if} ~~your~~ ^{your}
office might be able to help us.*

Sincerely,

[Redacted]

ENCLOSURE
ENCLOSURE

6-11-58
owg

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P.S. He read your book, "Masters of Deceit"
and are greatly stirred about our Nation
and the threat of Communism. He have
urged all our friends and those we
come in contact with to also read this book.

b6
b7C

THE

ALL INFORMATION CONTAINED
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DATE 7/23/87 BY SP7 MCE/g

Dan Smoot Report

Vol. 3, No. 46

Monday, November 18, 1957

Dallas, Texas



DAN SMOOT

Strength Without Courage

When the first Sputnik was launched on October 4, well-informed constitutionalists were aware of the danger that Washington politicians would use the excitement to scare taxpayers into more "buckling down" and "tightening up" — more silent endurance of outrageous federal taxes.

That is exactly what Washington politicians started doing. Republicans and Democrats, "liberals" and "conservatives" — all of them, in one way or another, hammered the theme that America had been spending too much on luxuries, too little on defense.

Ever since World War II, Americans have carried a heavy and harmful tax load. Every year, they are told by their President and their Congressmen and their Senators that at least two-thirds of every tax dollar is spent on defense of America or defense of the free world.

Yet, every intelligent constitutionalist, who has given the question any thought, has known all along that America was spending much too much on what our internationalist leaders called defense — but that our spending was not buying defense.

Our defense and foreign policies have been built on the concept of collective security: a sickly concept of fear and cowardice — the concept that America, the most powerful and productive nation on earth, cannot defend itself without allies.

We have gambled the security of our nation — the lives of our people — on collective security arrangements and alliances which we have financed at ruinous cost and which leave us at the mercy of the foreign governments involved.

It is admitted — even boasted about — by administration leaders (both the Eisenhower administration and the old Truman administration), by our military leaders, and by our congressional leaders that the defense of America has been inescapably involved with the

THE DAN SMOOT REPORT, edited and published weekly by Dan Smoot, mailing address P. O. Box 1305, Dallas, Texas, Telephone DAVis 8-2464 (Office Address, 1032-A Knob Oak). Subscription rates: \$10.00 a year, \$6.00 for 6 months, \$3.00 for 3 months, \$18.00 for two years. For first class mail \$12.00 a year; by air-mail (including APO and FPO) \$14.00 a year. FOREIGN: by regular mail, \$13.00 a year; airmail \$18.00. Reprints of specific issues: 1 copy for 25¢; 6 for \$1.00; 10 for \$1.50; 50 for \$5.50; 100 for \$10.00 — each price for bulk mailing to one person.

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62-102576-9

defense of Western Europe. If our costly defenses of Western Europe should collapse, then we don't really have any effective defense of America.

Our defenses of Europe have been built on NATO — the North Atlantic Treaty Organization. Since 1949, we have put so much into NATO that we have had little left over to provide full protection for the north American continent.

Today, how strong is NATO — America's first line of defense?

Today, NATO is exactly what it was when it was first conceived: an assortment of socialist and semi-socialist nations which will hang together as long as they are subsidized with American tax dollars; which would leave us instantly if they felt the Soviets had surpassed us in military and economic strength; and which, in any event, would be worse than useless as allies of America in an actual shooting war with the Soviet Union.

You can prove these broad assertions about NATO by reading any reliable report on present conditions in Europe.

Consider, for example, these passages from a report on France, gathered by *U. S. News & World Report* in Paris and published November 15, 1957:

"France's real troubles are about to begin.

"America's No. 1 ally on the mainland of Europe is on the verge of bankruptcy. . . .

"The treasury is empty. . . . Prices are rising rapidly. . . . Trade unions are threatening mass strikes. There is no end in sight for the expensive Algerian war. . . .

"If France blows up, the resultant explosion is almost certain to wipe out the whole

defense system in Western Europe, as now laid out. . . .

"France is trying, at one and the same time, to fight a war in Algeria, develop a vast colonial empire, invest huge sums in Europe's most rapid industrial expansion and maintain the highest living standards in its history.

"This effort — far beyond what France normally could afford — has been financed for two years out of dollars saved from past U. S. aid. But the time of reckoning has come. France's supply of dollars is exhausted. . . .

"At stake for the U. S. is the future of an ally without which the present defense system in Europe would be impossible.

"France is the main supply, communications and tactical air base for the North Atlantic Treaty Organization's central front from the Baltic to the Alps. Almost a dozen U. S. and Canadian tactical air wings are based here. The five U. S. divisions along the Iron Curtain in Germany depend on France for their supply line to the Atlantic. This country is the political and military headquarters of NATO, and is regarded by defense planners as the most important piece of military real estate in Europe. . . .

"American officials have no illusions about the dangers in the game now being played out in Paris. They know that, if France goes, the whole fabric of NATO and the defense of Western Europe will be ripped to shreds."

On the "Worldgram" page of *U. S. News and World Report* for November 15, 1957, appear these briefs of reports from other foreign capitals:

"Soviet prestige has soared. Wherever men see the stars they look for the Soviet Sputniks. . . .

"U. S. prestige has sunk. Wherever men

see the stars they ask why the United States, leader of the non-communist world, is not up there, too. . . .

"Outside the communist world, the spinning Red satellites spread doubts. Allies of the U. S. are wondering if maybe they're on the wrong band wagon. . . .

"In Western Europe, there is a new question. Some used to ask *if the U. S. would* defend them if war came. Now Europeans are asking *if the U. S. could* defend them. . . .

"Asians are asking if the Americans are concentrating too much on butter and new automobiles, too little on science and guns.

"Neutrals (India, for example) are wondering whether to shift further toward the Reds. . . .

"In Arab countries, extremely sensitive to shifts of world power, there is new pressure on wavering neutrals, a new outburst of anti-U. S. sentiment. . . .

"The French are more friendly toward the U. S., suddenly a loser. Until recently the French felt weak, bitter and impotent beside their powerful U. S. ally. Now they ask Americans with a friendly smile: '*How does it feel to be a second-class power?*' And French officials expect the shock of the earth satellites to beef up European support for the Western military alliance with U. S."

England — another indispensable link in our NATO alliance chain — also wants Western European military defenses "beefed up," but it wants us to do the beefing.

The British government, while expecting the United States to increase spending for the defense of Western Europe, has been sharply reducing its own expenditures for defense. Last week, the British government announced

that it was increasing expenditures for socialism in England: making a general boost in "social security" benefits — higher pensions for widows and old people, bigger benefits for the ill and the unemployed.

A few months earlier, the British could not have afforded these increases in welfare benefits, because the British pound was wildly unstable and Britain's economy was in desperate condition. All of that was fixed — recently and temporarily — by a loan from the United States Export-Import Bank.

It is fairly certain that we will have to bail the British out again next year, because the nation is plunging further and further into socialism. The socialist-communist controlled British labor unions — dissatisfied because socialism has not produced utopia — are presently in a mood, and in a position, to call a general strike which will wreck England's shaky economy.

Since 1945, we have spent hundreds of billions of dollars to make the defense of America dependent upon the strength and stability of England and France, the cornerstones of our NATO alliance.

Now that the whole thing is obviously a failure; now that Soviet achievements have proven that the American people have been deceived (if not betrayed) by their own government — where do we go from here?

According to our President, we are going to do more of the same disastrous things we've been doing.

On November 7, 1957, President Eisenhower made a radio-TV talk to the nation, on the subject "Science in National Security."

The President dealt in generalities, assuring the people that, while we have a fine

national defense, the government is not complacent and is taking steps to correct any dangerous deficiencies.

The President made only one specific proposal for countering the Soviet accomplishments in the development of super weapons.

He said:

"I shall support, along the lines of the agreement reached with Prime Minister Macmillan, a scientific committee organized with NATO to carry out an enlarged Atlantic effort in research. Similar action in SEATO (Southeast Asia Treaty Organization) and comparable organizations will be studied."

On November 5, Secretary of State Dulles said:

"The danger of standing alone is so great that I think there is an increasing tendency to draw together."

How terrifying, and humiliating!

The great American giant which has been carrying the world on his back for 18 years whimpers for help from the nations which have been riding him!

How can any of the 73 foreign countries to whom we have given our wealth protect us — to any degree, whatever — against a Soviet guided missile?

Why do we listen to the Washington politicians who tell us that "economy" in government has held back our research and development of guided missiles? What economy?

Why, when the American people have been taxed to support a 72 billion dollar budget, has their government not spent 100

million dollars required for the launching of an American satellite?

Why did the government pay out last year almost 100 million dollars to dairy farmers to subsidize the cheese business?

If we would spend on national defense one-tenth of what we now waste and squander on harmful programs all over the world, we could build an adequate national defense — and still eliminate the excessive taxation that is destroying our nation.

If we follow the program recently outlined by Prime Minister Macmillan and President Eisenhower, we will lose our national independence; we will lose our freedom; and we will lose the armaments race with the Soviet Union.

If we had the courage to rely on our own strength, we would find that we are incomparably stronger than the Soviets. The rest of the world would follow us, because of our strength. If we continue trying to drag the rest of the world along with us, the Soviets will outrun us; and when they do, we will have no friends.

* * * * *

Looking Ahead

The following paragraphs were taken from *Looking Ahead*, published by Dr. George S. Benson, President of Harding College and Director of National Education Program, Searcy, Arkansas:

"We certainly need to spend adequate money on the missile program, on the development of earth satellites, and on other vitally important research and explorations. But we should obtain whatever additional money is needed above present allocations by a sensible cutting down of the swollen Federal Budget.

"Here are the items that make up the record Budget: military, \$38 billion; foreign military aid, \$3.2 billion; foreign economic aid, \$1.5 billion; other defense activities, \$2.9 billion; aid to veterans, \$5 billion; welfare and labor programs, \$3.4 billion; aid to farmers, \$5 billion; power, reclamation, etc., \$1.4 billion; aids to housing and commerce, \$2.1 billion; interest on debt, \$7.3 billion; all other programs, \$1.5 billion.

"The Budget items add up to \$72 billion. This is almost \$200 million more than the government had planned to spend before Congress began its widely publicized 'cutting of appropriations.' Look at the Budget items carefully. Do you approve of the amounts? Are your taxes not burdensome? What are you doing about it?"

* * * * *

Whither France – and America?

Reprinted from "Things to Watch and Watch For," (P. O. Box 726, Rochester 3, New York), a newsletter edited and published by Robert Kazmayer, who travels widely—almost continuously—on the Continent.

The French have devaluated the franc. Regardless of what they call it, that's what it's amounted to. Nor is this the end. There'll be more, further devaluation within the next three to six months.

For most of us in the United States, the important thing is not so much what is happening in France but why it is happening.

France is one of the wealthiest and most prosperous countries in Europe today. It's a country with abundant natural resources, has some of the finest agricultural land in the world. Its rivers furnish hydro-electric power and its mines yield iron ore, coal, bauxite. It has untapped pools of gas and oil.

More, contrary to certain superficial impressions, the French are actually a great people, brilliant and brave. Their industrial workers are efficient, highly skilled. Their farmers are hardworking and thrifty.

Of all the nations involved in World War II, France is not only one of the wealthiest, but it suffered the least, had the lightest reconstruction load. Because France capitulated so early in the war and sat out the remainder of it, its industry was not as badly damaged as that of England, Germany or Italy. Then after the war, the U. S. poured nearly \$4 billion into France.

France should be one of the strongest nations on the Continent, have the most stable government, the soundest currency, the highest living standard and the happiest people.

In contrast here's the actual situation: France has had 23 governments since the war, has some 28 political parties, its devaluated franc is still wobbly, civil dissension and strikes are in the offing. The people of France are irritated, irritable and distrustful.

What's the matter with France anyway?

To get a realistic answer to this, one has to go back to the period directly after World War I. At that time, attempting to find a quick way out of the debt and destruction left by four years of war, the French began experimenting with socialism.

They started out by nationalizing the tobacco and match industries, went on to telephones and telegraphs, then nationalized the potassium mines of Alsace. When one socialistic program would not work of and by itself, the French did what voters almost always do in similar situations: they decided that the remedy was merely to take more of the same medicine.

Today, though we seldom think of it as such, France is actually one of the most highly socialized countries in the world. Its coal mines, gas and electric companies, its railroads, airlines, steamship lines, banks, insurance companies, its largest automobile works, most of its arms industry — are all government owned.

Today the French government is the largest employer in France. Labor unions participate in the control of all privately owned industrial plants.

In addition, the French Government provides cradle-to-grave "security," insurance against accidents, against sickness; it provides farm subsidies, wine subsidies, baby subsidies, and so many others that it's impractical to attempt to mention them here. Government "controls" ("controls," is put in quotation marks because, in reality, the controlling is in theory rather than in practice), rents, prices and wages.

France's problems are inherent in every socialized economy. Socialized industries pay no taxes. Managed by giant bureaucracies, they operate in the red and have to be subsidized. Subsidies, whether to individuals or to industries, cost money. The money has to be raised by taxation or added to the national debt. The national debt of France has been going up ever since World War I.

Every public debt is inflationary. As a nation's debt goes up, the value of its currency comes down. When the debt went up in Italy, the value of the lira came down. When the debt went up in England, the value of the pound came down. As the debt goes up in the U. S., value of the dollar comes down. As the debt went up in France, the value of the franc came down.

If a Frenchman had 1,000 francs per year

income at the beginning of World War I, he could live on it. Today 1,000 francs is only little over \$2.00; it will barely buy a decent meal in Paris.

But what happens to the citizens and to the character of a people when the economy is diseased by chronic inflation? Inflation wipes out those who have savings, impoverishes those who are dependent upon pensions and insurance, squeezes hardest those who have stated incomes. It destroys those who have tried to provide for their own old age. It makes a mockery of thrift, hard work and foresight-
edness.

At the same time inflation favors the fast-talking, fast-figuring sharpsters who are not particular about how they turn a fast buck. It puts a premium on all manner of devious schemes, rewards those who produce nothing.

Inflation destroys not only money but human values, basic moralities, ordinary decency. It plagues men with regrets for the past and fears for the future. It erodes business ethics, corrodes honor, dissolves the bonds of respect and trust. It destroys faith in government.

Today, business taxes in France are abnormally high, in many instances much higher than they are in the United States. But in France, those taxes just aren't paid.

The French say cynically, "If you're in business you keep two sets of books; if you have a partner, you keep three."

Based on the known amount of gold that's disappeared in the last ten years, Frenchmen are estimated to have nearly \$4 billion stashed away in their homes, buried in their fields or cellars.

In such a society, without faith in one's government or trust in one's fellow men, a

man eventually comes to live more and more for himself alone.

For years now, while Frenchmen have recognized the evils of inflation, have wanted to cut the public debt, have wanted government spending slashed, no Frenchman has been willing to have his own government handouts curtailed.

Thus the familiar patterns of political give-and-take, compromise and eventual shouldering of the common burden, patterns which still prevail in England and the U. S., are gone in France. The deadly virus of socialism, the something-for-nothing philosophy is in the blood. In France it's every man for himself, with every Frenchman mistrusting every other Frenchman.

Once such a mood has seized the body politic of a people, government grows bigger, taxes go higher and the economy heads down a dangerous, slippery road. Governments institute "controls," but controls cannot replace incentives.

The labor unions of France are among the strongest in the world. Their strikes are effective, force wages up. But a living standard

depends not upon money, but rather upon what the money will buy. If things are not produced, then neither government nor labor unions can provide them. In the absence of production, the only thing government and labor unions can do is provide more and more money which buys less and less.

Where does France go from here?

If the French can find some way of renouncing their something-for-nothing philosophy, they may yet develop a sturdy, healthy economy. If they don't, they may turn sharply to the right, follow some sort of a Poujad, perhaps develop a radical, dictatorial state as did the Italians under Mussolini; or, they may continue to drift into the backwaters of history, become a French edition of Spain.

The big thing for us here in the United States to recognize at this point is: In numerous instances we seem to have started down the same road the French embarked upon some thirty years ago. And the question is, where are our children going to be some 35 years from now? And who'll provide the Marshall Plan for them then, if we fail them now?

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

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If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.

Enlightened Self-Interest

On November 10, 1957, Mr. Marion B. Folsom, Secretary of Health, Education and Welfare, released a report prepared by the U. S. Office of Education. The report gave results of a study of educational practices in the Soviet Union and in the United States.

The report said:

"All Russian students, under the compulsory Russian curriculum, are introduced to biology in the fourth grade. They start foreign languages in the fifth grade. Physics and algebra and geometry come in the sixth grade. Chemistry is taught in the seventh grade. Astronomy and a beginning in calculus are taught in the tenth grade, which is the last year of secondary school.

"All Russian students graduating from the tenth grade in 1955 had completed five years of physics, four years of chemistry, six years of mathematics above the level of arithmetic. In the same year, less than one third of American high-school graduates had taken a single year of chemistry. About 1 in 4 had had a single year of physics. Only 1 in 15 had taken advanced mathematics."

In other words, America's compulsory, tax-supported state schools putter around with "life adjustment" and "rounded personality" — turning out students who are neither adjusted to life nor have rounded personalities, much less any worthwhile learning or discipline of any kind.

While American schools turn out semi-literates, American taxpayers are also financing UNESCO (United Nations Educational, Scientific and Cultural Organization), designed to bring enlightenment to 'backward peoples' everywhere.

At a UNESCO national conference (which began on November 6 in San Francisco), Dr. Luther H. Evans (Director General of UNESCO since 1953) told reporters that UNESCO's money was 'being spent in strange ways.'

In Hungary, Dr. Evans said, UNESCO funds have been used to help rebuild schools where children are being taught that the U. S. is a nation of war-minded imperialists.

Supporting UNESCO is part of our foreign policy which, according to President Eisenhower, promotes our "enlightened self-interest."

If you do not keep a permanent file of *The Dan Smoot Report*, please mail this copy to a friend who is interested in sound government.

DAN SMOOT,
P. O. Box 1305
Dallas, Texas

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OFFICE OF DIRECTOR
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UNITED STATES DEPARTMENT OF JUSTICE

July 31, 1958

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from [redacted]

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McKeesport, Pennsylvania.

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Wm. Edgar Hoover

THE

Dan Smoot Report

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Vol. 4, No. 28

Monday, July 14, 1958

Dallas, Texas



DAN SMOOT

UN Emblem In The Sky

The June, 1958, issue of *United Nations Review* (published by United Nations Department of Public Information) has a two-page article entitled "United Nations Emblem in the Sky."

The article reports that United Air Lines has had the United Nations emblem painted on every plane in its fleet — "just beside the passenger entrance where it may be seen by all who go aboard."

All who go aboard are given a leaflet explaining why the UN emblem is there. The explanation begins:

We have placed the emblem of the United Nations on our aircraft. We have done so in order to reaffirm our belief in the principles and purposes of the United Nations as set forth in the Preamble to the Charter.

The emblem and this brochure represent participation in a program designed to enlist the support of all people in behalf of the United Nations.

United Airlines has received protests from patriots and patriotic groups; and the company has replied with a letter which says:

We deeply regret that our action in placing a part of the United Nations insignia on our airplanes has been interpreted as an endorsement of United Nations and its actions. I can assure you that United Air Lines is not supporting the United Nations as such.

There is something less than plain truth here.

Why the hedging? Well, most of the people who complain have said that they will not patronize United Air Lines as long as the company has the UN emblem on its planes.

Why do patriots object?

Practically all American patriots who have complained about United Air Lines' advertising the UN emblem are people who have tried to participate in "Americanism" activities — activities which emphasize reverence for the American flag, for the American Constitution, for the American Declaration of Independence; activities which stress national pride

THE DAN SMOOT REPORT, a magazine edited and published weekly by Dan Smoot, mailing address P. O. Box 9611, Lakewood Station, Dallas 14, Texas, Telephone TAYlor 4-8683 (Office Address 6441 Gaston Avenue). Subscription rates: \$10.00 a year, \$6.00 for 6 months, \$3.00 for 3 months, \$18.00 for two years. For first class mail \$12.00 a year; by airmail (including APO and FPO) \$14.00 a year. Reprints of specific issues: 1 copy for 25¢; 6 for \$1.00; 50 for \$5.50; 100 for \$10.00—each price for bulk mailing to one person.

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ENCLOSURE

in American ideals, in American history, in American accomplishments.

Forever and always, American patriots who try to organize Americanism programs meet massive resistance.

The federal government readily gives tax-exemption to outfits (like the American Association for the United Nations) which are organized to engage in political propaganda for the United Nations; to outfits (like the National Council of Churches and the National Education Association) which work hand-in-glove with unions to lobby and engage in political propaganda for legislation designed to socialize the American economy; to outfits (like the National Association for the Advancement of Colored People and the Anti-Defamation League) which engage in dangerous racial agitation and propaganda; but the government will not grant tax-exemption to outfits organized for propagandizing the basic American ideals written into the Constitution and the Declaration of Independence.

Patriots trying to conduct Americanism programs find it difficult to get help, because Americanism is considered controversial; but people who want to support United Nations internationalism don't seem to have this trouble.

Consider, for example, how easy it was for one UN enthusiast to develop a simple idea into a program which may rapidly become international in scope.

The enthusiast was Captain Charles C. Dent, of Allentown, Pennsylvania, a veteran United Air Lines pilot.

About a year and a half ago, on a flight from Denver to New York, Captain Dent originated the idea of having the United Nations emblem put on all commercial airplanes in the United States. Captain Dent discussed the idea with his co-pilot (Richard Munger) and his flight engineer (James Dunn). By the time they arrived in New York, the three airmen were ready to go.

"United Nations Emblem in the Sky," in the June, 1958, issue of *United Nations Review* tells how quickly Captain Dent's idea mushroomed:

Discussing the plan with airline personnel in Europe and the United States... the three enthusiastic airmen encountered a favorable response which encouraged them to approach airline presidents and boards of directors.

The program has been endorsed by the International Federation of Air Line Pilots Associations, representing pilots of thirty-two different countries, and by the Air Line Pilots Association of the United States. The International Air Transport Association, representing seventy-nine international airline companies, and the Air Transport Association of America, representing forty airline companies, have agreed to coordinate the program among those carriers which wish to participate.

Meanwhile, Captain Dent received a \$5,500 bonus from his company for a skillful and safe landing at Los Angeles when he was unable to lower the plane's landing gear; he donated the entire amount to the United States Committee for the United Nations to help promote the program...

The United States Committee (for the United Nations) asked Captain Dent to serve as a member of its Executive Committee as a symbol of its wholehearted support of his "basic concept for marshalling the support of American industry behind the principles of the United Nations."

The United States Committee also established a new division — the Industry Participation Division... whose function will be to develop and administer a program for the extension of the project to all branches of industry and commerce. Already, even before the program is fully in operation, much interest has been aroused... and many inquiries have been received as to how commercial firms and individuals can assist.

Captain Dent hopes that the use of the United Nations emblem will be extended to many industries in many countries throughout the world. He already has had an indication that several steamship companies may endorse the plan, and other firms and individuals are requesting permission to use the emblem in various ways...

"Pilots are in some ways citizens of the world who know that international cooperation is vital to international security..." he says. "We as individuals must do our part in trying to build international understanding and a will for peace."

Seeing such easy success in the promotion of United Nations internationalism, while

their own efforts to promote Americanism meet universal resistance, must be, to patriots, very much like eating sour grapes. But "sour grapes" is not their real reason for resenting the United Nations emblem on United Air Lines planes.

The official United Air Lines letter, denying that the company is supporting the United Nations "as such," closes with this explanatory paragraph:

It was our feeling that an insignia evidencing a desire for world peace is something of which we should all be more conscious in our day-to-day relations and evaluations of some of the complex problems confronting all of us; and it was with this thought in mind that we placed the peace emblem on our airplanes.

The United Nations insignia a *peace emblem!* That is the propaganda idea which disturbs American patriots who have studied the UN record. No one accuses Captain Dent or United Air Lines of subversive intent or of unpatriotic motives. They apparently believe they are helping the cause of peace; but the peace which the UN would bring to America is the peace of the grave.

If it's a peace emblem they want, why not something about Jesus, who was the Prince of Peace?

* * * * *

The UN Peace Record

One obvious danger of the United Nations is that it provides the cover of diplomatic immunity for communist spies, saboteurs, and secret police agents sent into the United States.

Communist agents, attached to UN delegations from communist countries, enter and leave the United States at will. They serve as couriers for the Soviet world-wide espionage network. They bring in tons of propaganda material. They direct espionage and sabotage activities in the United States.

The case of 21 Russian seamen in 1956 proved that the Soviet secret police, under the cover of UN diplomatic representation, ac-

tually operated inside the United States, terrorizing refugees who have sought asylum here; contemptuously defying American laws and American law-enforcement agencies.

A group of Russian seamen who had been given asylum in America were working and living in New York and New Jersey. Soviet secret police, with UN credentials, went into their homes, beat them into submission, kidnapped them, and forced them to return to Russia. American law enforcement agencies knew what was happening. In fact, they stood by and watched but did nothing, because the Soviet secret police *would not permit* them to do anything — in New York City, mind you.

Obvious proof that the United Nations as a "peace organization" is a fraud can be seen in the record of what has happened since the UN was established to "save succeeding generations from the scourge of war."

Since the UN was formed, communists in the Soviet Union and in China have murdered millions of people — have actually destroyed whole races and classes of people.

The communists have conquered China, Tibet, most of Indo-China, part of Indonesia, part of India, and a whole tier of Eastern European states from the Baltic to the Adriatic. The communists have conquered an estimated 800 million people since the UN was formed to keep peace in the world.

* * * * *

UN Record in Korea

UN idolators still talk about the Korean war as a UN police action which stopped the spread of communism. Actually, the UN police action in Korea did more for the spread of communism than anything else has ever done.

American and South Korean soldiers did virtually all the fighting in Korea, and the United States bore practically 100% of the cost. The UN acted merely to hamstring American operations so that our soldiers sent into battle to die could not use their best

weapons to destroy the enemy. The Korean war was the worst disaster in American history: it cost us the lives of over 50,000 American soldiers; it built Red China into a menacing military power; it lost us the respect of all of Asia; and it ended, on enemy terms, as the first war America ever lost — primarily because of the United Nations.

Let's review some of the specifics.

In July, 1951, General Ridgway sent a confidential report to the United Nations, setting out documentary and eyewitness evidence to prove that thousands of American soldiers had been murdered or tortured to death by the communists.

What did the UN do about it? The UN suppressed the report — would not even put it on the agenda for discussion.

Why? They did not want to offend Russia or the Chinese communists.

Just two weeks before the UN received General Ridgway's report on communist atrocities in Korea, Jacob Malik, Russia's delegate to the UN, had suggested a cease-fire in Korea for peace talks.

The communists at that time were in bad shape. We had them on the run. Our generals in the field there had made it clear to Washington that we could destroy communist power if we would take the wraps off our armies and let them fight, instead of merely holding them on the front lines where they could be slaughtered.

The UN did not want to destroy the communists. Our allies said that if we started talking about communist atrocities, we would agitate the communists and make it difficult to talk peace with them.

Endorsing this argument, our State Department tried to keep all information about the torturing and murdering of our men concealed from the American people.

Knowing that we were dealing with barbarians, we entered into truce negotiations, which turned out to be nothing more than a trap to give the communists a chance to bring

up reinforcements, regroup their strength, and prepare for surprise attacks against our forces.

In November, 1951, there was a serious leak. Lieutenant Colonel James Hanley, then Chief of the War Crimes Section of the Eighth Army in Korea, created consternation in the United Nations and in the American State Department by telling the press in Korea about evidence that the communists had murdered approximately 8,000 American prisoners of war.

Colonel Hanley was rebuked and transferred.

The senior American military commanders who fought in Korea — Generals MacArthur, Clark, Stratemeyer, Van Fleet, Almond — have all testified that we could have won the war in Korea and destroyed communist power in Asia, without precipitating a general war and with fewer American casualties than it cost us to lose the war. But Washington officials wouldn't let our soldiers win the war, because the United Nations didn't want them to win.

A wild, unfounded allegation?
Look at the record.

In mid-1951, just as the United States Eighth Army had completely routed the enemy in Korea and was in a position to annihilate him, Russia suggested that we stop the fighting and have a conference with the communists.

We leaped with unseemly eagerness at Russia's proposal, and gave the communists the breathing spell they needed for entrenching and re-supplying themselves.

We suggested that the talks be held on the Danish hospital ship, *Jutlandia*. The Reds wanted Kaesong: we gave in.

The communists kept us talking in Kaesong until they had repaired their military position. They broke off the talks with trumped-up charges that we had bombed the neutralized zone.

While we were busy investigating their out-

rageous charges, the communists struck; but later, when again beaten and needing time to build up strength, they came back for more conferences.

Before the truce talks, we had occupied, off the northern coast of Korea, several important islands. The communists said they would have to have those islands back before they could talk truce. We gave them back.

When the truce talks first began, we decided to take advantage of the lull in fighting to bring in fresh soldiers and take out the battle-weary. The communists complained, saying that we should effect no troop rotation at all during the talks. We accepted communist-imposed limitations on our troop rotation plans. The communists continued to bring in fresh troops and supplies as they pleased.

Inasmuch as our air force had put every North Korean airfield out of commission, we asserted that, while the truce talks were going on, the communists could not build new airfields or repair old ones. They backed us down on this one, too. We finally agreed to let them build new airfields and rehabilitate old ones for what they called "civilian use."

We broke off the fruitless talks in October, 1952. But in April, 1953, we entered into a good-faith agreement with the communists to exchange all sick or wounded prisoners of war.

The Reds merely used the hoax of prisoner exchange to bring up ammunition and supplies for their front line troops.

Although we knew the communists were holding back thousands of wounded Americans in desperate need of decent medical care, we kept our part of the bargain and went through with the prisoner-exchange deal.

We returned more than 6,000 of their sick or wounded. They returned 120 Americans.

When the 120 exchanged American prisoners came back in the spring of 1953, they told stories of brutality, starvation, exposure, physical and mental torture, and of Ameri-

cans shot in the back of the head or kicked off a road to die.

Our government placated American public opinion by blustering and talking about the communist atrocities; but we nonetheless continued our negotiations for an armistice.

In July, 1953, we accepted an armistice, largely on enemy terms.

The most important provision of the Korean armistice agreements had to do with the exchange of prisoners. We promised to repatriate all communist prisoners who wanted to return, and they promised to release all American prisoners who wanted to come home.

We returned all of their people. They held 951 (or more) of our soldiers.

At the time we signed the Korean armistice agreement, our government had the names of 951 American soldiers who were listed in our own records as missing in action but presumed to be prisoners of war in the hands of the communists — but whose names, however, were not on the repatriation lists that the communists were giving us. They were presumed to be prisoners of war because all of them, subsequent to the time when they were first reported missing in action, had been mentioned in communist radio broadcasts as being alive or had actually been seen in communist prison camps by other American prisoners.

In answer to our protests that they were not returning all American prisoners, the communists made it very clear that they were holding some Americans as political prisoners, although they would never tell us who or how many.

Pentagon brass finally devised a way to stop public pressure on this issue. It started killing these American boys off in the files.

In other words, instead of continuing to report the 951 as missing in action or as still being held by the communists, the Pentagon began to report them as dead.

And thus it reduced the number of American soldiers held as political hostages by the

communists — not by rescuing them, but simply by writing them off.

Why?

You remember a few years ago (November, 1954) when the Chinese communists abruptly (and defiantly) announced that they were still holding 13 American soldiers — which our own government up to that time had never mentioned? The United Nations Secretary General went to Red China, hat in hand, begging the communists to release the prisoners.

After much delay, the communists released 11 of them. For weeks thereafter, UN idolators in America — including President Eisenhower and Secretary of State Dulles — talked about the “debt of gratitude” we owed the United Nations. They forgot all about the other two Americans that the reds admitted they had — and they never mentioned the uncounted hundreds of Americans we know are still there.

It is obvious that our government wants the American people to believe the UN did something good in Korea; the American people must be made to idolize the UN, because the UN is the keystone of the internationalist program that is bankrupting our nation, destroying its independence, and dragging it relentlessly into world government.

* * * * *

UN Declaration of Human Rights

In some quarters it does no good to recite the UN's failures. UN supporters will say, “Well, you can't expect perfection. The UN means well, and we must keep trying.”

As long as we keep trying to do anything in the United Nations, we are headed for ruin — because the UN is an international socialist conspiracy whose aim is to produce a socialist one-world. The best way to prove this is to examine the United Nations' “Bill of Rights.”

On June 21, 1946, the Economic and Social Council of the United Nations established

a UN Commission on Human Rights. The task of this Commission was to write the UN Universal Declaration of Human Rights.

Mrs. Eleanor Roosevelt, America's representative on the Commission, was the first chairman. One of Mrs. Roosevelt's successors as chairman of the UN Human Rights Commission was an internationally famous socialist, Dr. Charles Malik, now foreign minister in Lebanon.

Writing later of his experience in the UN Human Rights Commission, Dr. Malik candidly admitted that the activities of that Commission “responded for the most part more to Soviet than to Western promptings.”

The Human Rights Commission completed the UN Universal Declaration of Human Rights in 1948; and, on December 10 of that year, the General Assembly of the United Nations unanimously adopted the Declaration as the formal statement of United Nations' ideals.

Every year since 1948, the President of the United States has set aside December 10 as UN Human Rights Day.

The State Department distributes tons of “educational material” about the UN and sends representatives throughout the nation to make speeches.

Newspapers usually give front-page headlines to whatever the President has to say about UN Human Rights Day; and radio, television, schools, colleges, churches, women's organizations, and businessmen's service clubs help to amplify the great national song of praise for the UN.

The UN Declaration of Human Rights has been broadcast throughout the world, published in millions of copies, and given wide free distribution over the earth for the purpose of setting the standard — the goal — toward which all nations should strive.

In other words, the United States government in endorsing the United Nations Declaration of Human Rights has made a promise to the world that it will try to bring its institutions up to the ideals here proclaimed.

Those ideals were, in large part, copied from the Constitution of the Soviet Union.

To wit:

Article 23 of the UN Declaration of Human Rights:

Everyone has the right to work . . . and to equal pay for equal work.

Article 118 of the Constitution of the Soviet Union:

Citizens of the USSR have the right to work . . . and payment for their work in accordance with its quantity and quality.

Article 23 of the UN Declaration of Human Rights:

Everyone has the right to form and to join trade unions.

Article 126, Constitution of the Soviet Union:

Citizens of the USSR are insured the right to unite . . . in trade unions.

Article 24 of the United Nations Declaration of Human Rights:

Everyone has the right to rest and leisure.

Article 119, Constitution of the Soviet Union:

Citizens of the USSR have the right to rest and leisure.

Article 24 of the UN Declaration of Human Rights:

Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Article 22 of UN Declaration:

Everyone . . . has the right to social security.

Article 120 of the Constitution of the Soviet Union:

Citizens of the USSR have the right to maintenance in old age and also in case of sickness or loss of capacity to work. This right is ensured by the extensive development of social insurance of workers and employees at state expense, free medical service for the working people and the provision of health resorts for the use of the working people.

Article 26 of the UN Declaration of Human Rights:

Everyone has the right to education.

Article 120 of the Soviet Constitution:

Citizens of the USSR have the right to education.

Article 25 of the UN Declaration of Human Rights:

Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 122 of the Soviet Constitution:

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

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Women in the USSR are accorded equal rights with men . . . by granting them an equal right with men to work, payment for work, rest and leisure, social insurance and education, and by state protection of the interests of mother and child, pre-maternity and maternity leave with full pay, and the provision of a wide network of maternity homes, nurseries and kindergartens.

These are just samples. Compare this United Nations Declaration of Human Rights with Chapter X of the Constitution of the Soviet Union. They are identical in philosophy; and the UN Declaration is, in many instances, a direct lift from the Soviet Constitution.

The American notions of individualism; of limited, negative government; and of the divine and inalienable rights of human beings are never even suggested in the UN Human Rights Declaration.

The first American patriots founded this great nation on the belief that man's rights come from God and not from government.

Hence, the essence of Americanism is religious.

The American experiment in government began with a religious assumption:

We hold these truths to be self-evident, that all men are endowed by their Creator with certain inalienable rights.

On that rock our nation was built.

The most telling characteristic of the 20th Century is the degeneration of this ideal of the sacredness of human freedom.

Today, all over the globe, people are promoting a philosophy of government which they like to call liberal and progressive, but which, in its essence, is a return to the dark ages of human civilization.

It is a philosophy which holds that government has the power and the responsibility to do something for the people; that the force of government must be used to control all the lives of all the people all the time, in order to insure them economic security.

The real threat to civilization in our times is this deification of the state, this worshiping of all-powerful government as the man-made god which can solve all our problems.

The United Nations Declaration of Human Rights is a specific and accurate reflection of this frightful modern concept of the role of government.

The UN Declaration of Human Rights does not even pretend to stand for freedom. It stands for peace and plenty, guaranteed by government; and it sacrifices freedom to these materialistic goals which socialists and communists believe that government can attain.

If you do not keep a permanent file of *The Dan Smoot Report*, please mail this copy to a friend who is interested in sound government.

DAN SMOOT,
P. O. Box 9611, Lakewood Station
Dallas 14, Texas

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September 16, 1958

EX - 133



East Orleans, Massachusetts

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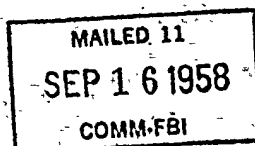
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DATE 7/23/88 BY SP2-MJP

Your letter of September 8, 1958, has been received, and I am very pleased to learn of your interest in my book, "Masters of Deceit."

Although I would like to answer the inquiry in your letter, I must advise that the files of the FBI are confidential and available for official use only. I would like to also point out that it is not within the province of this Bureau's defined jurisdiction to make recommendations in regard to matters of this nature. I know you will understand my position in this regard and will not infer that we do or do not have derogatory data in regard to this publication.

Sincerely yours,

J. Edgar Hoover



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26 12 2 31 PM '58

NOTE: No record in Bufiles re [Redacted] Dan Smoot, who issues "Dan Smoot Report," EOD 3/23/42 as SA, resigned 6/15/51. Shortly prior to his resignation, Smoot had been censured, placed on probation and transferred due to several unfounded charges made by him against his SAC and due to a dereliction in not apprising the Bureau of certain matters. His attitude before his resignation and subsequent thereto was extremely unjustifiably antagonistic and he was not recommended favorably for reinstatement.

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Boardman _____
Belmont _____
Mohr _____
Nease _____
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Sept. 8, 1958

Att. of J. Edgar Hoover
Fed. Bureau of Invest.
Washington, D.C.

~~EX-100~~
SEP. 12. 1958

Dear Sir:

I am reading with
interest your book -
"Masters of Deceit"

A recent publication
has come to my attention
"Plan Smoot Report" - I
have subscribed to it.
However, it has caused

EX - 193

REC-19

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ack 9-16-58

1 copy typed 9-16-58

12 SEP 12 1958

PRIME
FBI

some questions in my
mind as to whether it
is altogether anti-com-
munist and pro-American.

Please advise me
as soon as possible what
you know and recommend
in regard to the pub-
lication and its author.

Thank you in advance.

Sincerely yours,

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TRUE COPY

Tel.: ORLEANS 601

[Redacted]
E. Orleans - Cape Cod
MASSACHUSETTS

Sept. 8, 1958

Att. of J. Edgar Hoover
Fed. Bureau of Invest.
Washington, D. C.

Dear Sir:

I am reading with interest your book - "Masters of
Deceit."

A recent publication has come to my attention, "Dan
Smoot Report." I have subscribed to same. However, it has raised
some questions in my mind as to whether it is altogether anti-communist
and pro-American.

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Please advise me as soon as possible what you know and rec-
ommend in regard to the publication and its' author.

Thank you in advance.

Sincerely yours,

/s/

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Nesbitt

Memorandum for Mr. Nease

investigation and it has had nothing to do regarding his original difficulties with Agriculture Department or any attempts to collect the judgments, such as garnisheeing of income or attaching his bank account.

Mich
Review of captioned article reflects it is based on article by George Melloan in the "Wall Street Journal," July 14, 1958. Melloan's article indicates that he conducted an on-the-spot investigation of [redacted] matter and recounts interviews with three local citizens by Bureau Agent concerning [redacted] two of whom, [redacted] and [redacted] reportedly furnished information to the interviewing Agent reluctantly. Third individual identified as "reporter" for Dowagiac Daily News. Bureau first learned of "Wall Street Journal" article through Smoot Report. Both Smoot and Melloan extremely sympathetic toward [redacted] attempting to picture government regulations on wheat quotas as dictatorial. Neither directly critical of the FBI, but depict Bureau's investigation as part of over-all Government apparatus to regulate private citizens. ("Wall Street Journal" article attached as exhibit #2) Bufiles reflect "The Dan Smoot Report," a weekly publication, issued by Dan Smoot, former Bureau Agent, who has been antagonistic to Bureau. Melloan not identifiable in Bufiles. Comments regarding [redacted] case have previously come to the Bureau's attention. On 5/8/58 the Bureau's position in [redacted] case clearly outlined to [redacted] of Senator Potter's office, and to Mr. Don O'Connor of the "Detroit Times" following inquiry based on impression that FBI Agents were investigating [redacted] violation of the wheat quota under the Agricultural Adjustment Act and had impounded [redacted] Congressman William S. Broomfield on 5/12/58 inserted editorial from "Detroit Times" in the "Congressional Record" quoting [redacted] as stating the FBI had called on his egg buyer, asking questions about him. Congressman Broomfield's office was given clarification of Bureau's position in this matter shortly thereafter and expressed his appreciation. Senator Potter's office on 7/28/58 advised certain newspapers and individuals in Michigan were trying to make a martyr of [redacted] who was still prominently mentioned in the press and advised that the Detroit American Legion Post had gone to bat for [redacted] and another individual in similar straits. Inspector DeLoach subsequently contacted the Chairman of Un-American Activities Committee, The American Legion, Detroit, Michigan, who has been most cooperative in the past, who advised that although his Department had discussed the matter at its convention in July, the FBI was not mentioned. The Detroit American Legion is sympathetic toward [redacted] feeling he is being unfairly penalized for violating the wheat quota. Inspector DeLoach explained the extent of our official interest in the matter and indicated the Bureau would appreciate not being injected into the [redacted] case in any manner whatsoever. By letter dated 8/14/58 [redacted] San Marino, California, enclosed a copy of "The Dan Smoot Report" in letter to Director, asking for clarification of Bureau's role. On 8/20/58 the Director replied, advising Bureau's

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DO.
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Memorandum for Mr. Nease

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investigation was limited strictly to ascertaining [] financial ability and referred her for further information to the U. S. Department of Agriculture or U. S. Attorney Miles at Grand Rapids, Michigan. (Congressman Broomfield's insert in "Congressional Record" attached as exhibit #3.)

rechecked 12-16
The Bureau, as reflected above, has consistently presented its position on [] to meet all criticisms. It is felt, however, because of date of the "Wall Street Journal" article (7/14/58) no effort should now be made to contact its author, George Melloan. In addition, it is felt that Bureau should not endeavor to contact the individuals mentioned by name in the "Wall Street Journal" article as having commented on the Bureau's investigation, because the [] case is currently an explosive situation in Michigan and they would be partial to []. Moreover, because of the antagonistic attitude and unsavory Bureau record of Dan Smoot, it is also felt we should not contact him. Background information concerning "The Dan Smoot Report," Dan Smoot, Reese Taylor and Emmett C. McGaughey set forth.

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RECOMMENDATION:

None. For the Director's information.

JP
*I do not understand
how we missed
Wall Street Journal
article of 7/14/58 which
started interest of FBI
in this matter.*

M. A. Jones to Mr. Nease Memorandum

DETAILS:

BACKGROUND:

Mr. Reese H. Taylor, Chairman of the Board, Union Oil Company of California, Los Angeles, California, on 8-14-58 addressed a letter to Mr. Emmett C. McGaughey, former Bureau Agent, enclosing a copy of "The Dan Smoot Report" of Monday, August 11, 1958, indicating it would be interesting to see Mr. Hoover's reaction to the article, which relates to Stanley Yankus, Jr. Mr. McGaughey by letter 8-19-58 forwarded to the Director Mr. Taylor's letter with enclosure, indicating that Mr. Reese had expressed interest in discussing the matter with the Director.

The Director noted "Let me have memo promptly so I can discuss this. H"

ANALYSIS OF AN ARTICLE IN "THE DAN SMOOT REPORT"

"The Dan Smoot Report" of August 11, 1958, contains an article entitled "A Yank Named Yankus" in which he ^(S. Smoot) discusses the case of [redacted] in Pokagon Township, near Dowagiac, Michigan. [redacted] a chicken farmer, b6 had been fined, starting in 1954, by the Agricultural Stabilization Committee (ASC) b7C for growing more wheat than the ASC quota had allotted him. He refused to pay his fine. By the end of 1957, according to Smoot, accumulated fines and penalties totaled \$3,848. Smoot adds: "Then the naked power of government was unsheathed to show [redacted] and others like him that they are criminals in contemporary America if they try to live and work as proud, free men."

Smoot quotes extensively from an article entitled "Farmer Yankus Ignores Planting Rules; Federal Fines Rise and the F. B. I. Comes" by George Melloan (not identifiable in Bufiles) in the July 14, 1958, issue of the "Wall Street Journal."

Melloan, in his article, detailed [redacted] background and difficulties with the Government, representing him as "a surprisingly eloquent 39-year-old poultry farmer" who quoted the words of the statesman Edmund Burke in his fight against the fines.

Melloan, in his article quoted by Smoot, then asserted that the U.S. District Attorney, Wendell A. Miles at Grand Rapids, Michigan, "after two years of trying gentle persuasion, this spring brought force to bear."

M.A. Jones to Mr. Nease Memorandum

In April, according to Melloan, an FBI Agent visited egg buyer [redacted] in Benton Harbor and determined [redacted] income from his eggs. According to Melloan, [redacted] was reluctant but opened his books to the Agent. "I was impressed by the badge," he says. "I'd seen it on TV." A request that he not tell [redacted] about the visit "sounded like an ultimatum," [redacted] said. b6 b7C

Did we so request Dabam? H

Next, according to Melloan, [redacted]

[redacted] is quoted by Melloan as followed: "I don't like that sort of thing, but if you tried to stop them you'd be in a mess all of the time." The FBI Agent also paid a call on a reporter for the Dowagiac "Daily News," according to Melloan, "and asked a few cryptic questions about [redacted] past."

On April 24(1958) according to the Melloan article, [redacted] by Federal court order and later a court judgment gave the Government [redacted] As a result he has been forced to sell 1,100 of his flock of 6,000 chickens to get working capital, reducing his egg income by about 20 per cent. Melloan quotes "an impassioned local businessman" as saying concerning [redacted] has a right to live. He's not waxing rich. His wife and kids have to work gathering, sorting and candling eggs. Why does the Government do this to him?"

It is noted that Smoot does not quote the last portion of the "Wall Street Journal" article. Melloan, in this section, tells of efforts by [redacted] and his friends to interest other individuals in his case. In this connection, Melloan mentions a Detroit Attorney, Charles Lockwood, as objecting strongly to the use of the FBI in Federal civil action against [redacted] Melloan also mentions that *Nick* "From the political right, Dan Smoot, a former F.B.I. man himself and champion of right-wing causes through the Dallas-based 'Facts Forum' movement, ^{hopes} to make use of the [redacted] story."

ON YANKS
Smoot concludes his article with the comment: "Clinging stubbornly to his belief that the Constitution guarantees his God-given right to mind his own business as a free man." Smoot then gives an extensive quotation from [redacted] (which is not included in the "Wall Street Journal") asserting his determination to fight for his "rights." Among [redacted] comments are the following: "It's stealing--nothing more than stealing. But here's something that worries me even more. I learned that an FBI agent had been over asking my egg

M.A. Jones to Mr. Nease Memorandum

buyer in Benton Harbor a lot of questions about me. The awe that people have of the FBI makes that very damaging to me. People get leery of doing business with a man if they think it will bring the FBI down on them."

It is noted that the August 11, 1958, issue of "The Dan Smoot Report" contains other articles concerning individuals involved in difficulties with the Government because of agricultural regulations. On page 5 in an article entitled "Administrative Tyranny" Smoot severely criticizes the Agricultural Adjustment Act, commenting that it "sets up the principle of Administrative Law which is as autocratic as anything ever conceived of by the nazis or the communists."

Copies of the August 11, 1958, "The Dan Smoot Report" and the July 14, 1958, article in the "Wall Street Journal" are being attached.

It is to be noted that the Bureau first learned of the July 14, 1958, article of the "Wall Street Journal" through "The Dan Smoot Report."

RE: THE BUREAU'S INVESTIGATION TO ASCERTAIN FINANCIAL ABILITY
OF [REDACTED]

Bureau files reflect the following data concerning [REDACTED] and the extent of FBI investigation [REDACTED] born [REDACTED] [REDACTED] Dowagiac, Michigan. He is white, married, has [REDACTED]

United States Attorney Wendell A. Miles, Grand Rapids, Michigan, by letter 2/6/58 conveyed through our Detroit Office a request for investigation to be conducted to determine the financial ability of [REDACTED] to pay certain judgments totaling \$3001.60 levied against him in United States District Court at Grand Rapids for violating wheat quotas under the provisions of the Agricultural Adjustment Act of 1938, as amended, for the years 1954, 1955 and 1956, no payments having been received. Additional levies were filed against [REDACTED] on 8/29/57 and on 12/13/57.

On March 27, 1958, the matter was discussed with Assistant U. S. Attorney [REDACTED] of Grand Rapids, who described [REDACTED] as a debtor to the United States who had been hostile to the United States Attorney's office. At that time [REDACTED] indicated [REDACTED] was continuing his wheat quota violation despite the default judgment that had been taken and the efforts of the Government to collect the money due. We were specifically instructed not to interview the subject in view of his feelings, and he has not been interviewed.

The report of SA [REDACTED] dated 5/7/58, at Detroit in this matter reflects that information was obtained from various citizens and officials at Dowagiac, Michigan, to the effect that [REDACTED] sells about 900 to 1200 dozen eggs a week at an average price of about 37 cents per dozen, and one Sam [REDACTED] of the Daken Produce Company of Benton Harbor, Michigan, during interview furnished the details of typical transactions with [REDACTED]

Letterhead memorandum of the same date furnished by the Detroit Office with the investigative report previously mentioned reported that information had been obtained to the effect that [REDACTED]

[REDACTED] This information was obtained by SA [REDACTED] on 4/23/58, from [REDACTED]

and was not to be made public except in a usual proceeding following the issuance of a subpoena duces tecum.

ACTION TAKEN BY THE BUREAU TO CLARIFY OUR POSITION IN THIS
MATTER

On 5/8/58, [REDACTED] Senator Potter's office contacted Mr. Nease's office, indicating that the "Detroit Times" had gotten

the impression that FBI Agents were involved in the matter concerning [redacted] violation of the wheat quota established under the Agricultural Adjustment Act and had impounded [redacted]. Both [redacted] and Mr. Don O'Connor of the "Detroit Times" were advised on the same date by SA [redacted] of the facts in the matter, and it was made clear to them that the FBI did not garnishee or attack [redacted] had no power to do so and did not investigate [redacted] under the quota provisions of the Agricultural Adjustment Act of 1938, but did conduct investigation at the request of a United States Attorney to determine the financial ability of [redacted] to settle judgments entered by the Federal Government against him. b6 b7C

On May 12, 1958, Congressman William S. Broomfield inserted in the Congressional Record an editorial from the "Detroit Times" quoting [redacted] as stating that the FBI had called upon his egg buyer, asking questions about him. We subsequently advised Congressman Broomfield as to the facts in this matter, and he expressed his appreciation.

[redacted] Senator Potter's office on 7/28/58 called Mr. Nease to advise that some newspapers and other individuals in Michigan are trying to make a martyr of [redacted] who is still prominently mentioned in the press. [redacted] had recently noted that the Detroit American Legion Post had gone to bat for [redacted] and another individual named [redacted] who was involved in apparently the same sort of difficulties.

Nease to Tolson memorandum dated 7/29/58 recommended, and the Director approved, that we take steps, either through Inspector DeLoach's contacts or those of the Detroit Office, to discreetly advise The American Legion of our position in this matter to make certain that the Bureau not be again drawn into this local situation.

Subsequently, Inspector DeLoach contacted [redacted] Chairman, Un-American Activities Committee, The American Legion, Detroit, Michigan, who has been most cooperative in Legion affairs for a number of years and is well known to Mr. DeLoach. [redacted] revealed that the Department of Michigan, The American Legion, had brought this matter up at its annual convention in July. The FBI was not mentioned, however. [redacted] stated the only concern of the Legionnaires is that [redacted] was possibly penalized because he was trying to grow wheat to feed his family and a large number of chickens which he had at his home. b6 b7C

[redacted] indicated he would keep a close eye on this matter, was fully apprised of the nature of our official interest in this matter and stated he would prevent the FBI from being injected into the case in any manner whatsoever. (93-17094)

In reply to a letter of inquiry from [redacted] b6
[redacted] San Marino, California, pertaining to this b7C
matter, the Director, by letter of August 20, 1958, clarified the Bureau's
investigation concerning [redacted] and referred her for
additional information to the Department of Agriculture or U. S. Attorney
Miles.



BACKGROUND DATA CONCERNING INDIVIDUALS INVOLVED

The following brief summaries of information concerning Reese Taylor, Emmett McGaughey and Dan Smoot have been prepared for the Director's information.

RE: REESE HALE ~~TAYLOR~~

Reese H. T. Taylor

Reese ~~T~~ Taylor

N.Y. Mr. Taylor, an oil company executive, was born at Los Angeles, California, July 6, 1900. He attended Cornell University 1918-1920, received an A. B. Degree at the University of California in 1922 and resides at 617 West Seventh Street in Los Angeles. Remarried in 1944 after the death of his first wife, Taylor [REDACTED]

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Taylor was superintendent at the Llewellyn Iron Works 1924-1929 and served as Director from 1925-1929. He was with the Consolidated Steel Corporation from 1929 to 1938, serving successively as Production Manager, Vice President, Executive Vice President and President from 1934-1938. He was President and Director of the Union Oil Company of California and its subsidiaries from 1938 to 1956 and has served as Chairman of the Board of that company since 1956. Taylor is a Director of the Federal Reserve Bank of San Francisco, of the Westinghouse Electric Corporation, is a Director of the Hollywood Bowl Association, the Los Angeles Turf Club, President of the Youth Tennis Foundation of Southern California, and Trustee of the University of Southern California and the Tax Foundation, Incorporated. He served in 1942 as chief of the Iron and Steel Branch, War Production Board, and was a member of the Business Advisory Council of the Department of Commerce. He served in the U. S. Army in 1918, is a member of numerous petroleum and engineering societies and is prominent in the oil industry.

The Director met Taylor at a stag party in New York in January, 1942, and recommended him to SAC R. B. Hood, at Los Angeles as a potentially good office contact. Taylor subsequently developed into a most valuable special service contact of the Los Angeles Office and later became an SAC contact. He has furnished information in several types of cases and proved otherwise most cooperative. He is a first-name personal acquaintance of the Director, and we have had cordial relations with him since 1942.

RE: EMMETT CONNELL McGAUGHEY

Mr. McGaughey, a former Special Agent of the Bureau, entered on duty 12-9-41 and resigned 11-4-49 in order to accept a position in private industry. He has been recommended favorably for reinstatement.

He is now an Executive Vice President of Erwin Wasey Ruthrauff and Ryan, Incorporated, an advertising agency with headquarters in Los Angeles.

He has been for some time a member of the Los Angeles Police Commission and has been friendly and cooperative with the Los Angeles Office. On July 30, 1958, it was announced that Mr. McGaughey had been elected President of the Los Angeles Police Commission, succeeding Michael Kohn.

Our relations with Mr. McGaughey subsequent to his resignation have been most cordial and he has been an ardent supporter of the Director and the Bureau. He visited the Director on 5-6-58 and on 7-11-58. (67-26594)

RE: DAN SMOOT

Smoot, as Howard D. Smoot, EOD with the Bureau as SA, on 3-23-42 and resigned 6-15-51. Shortly prior to his resignation Smoot was censored, placed on probation and transferred due to several unfounded charges made by him against his SAC and due to his dereliction in not apprising the Bureau promptly of certain matters of which he had knowledge. His attitude prior to his resignation was noted as extremely unjustifiably antagonistic, and he was not recommended favorably for reinstatement.

Smoot, since his resignation, has been engaged in lecturing and writing articles, concerning many of which we have received inquiry from the public at large. In June, 1951, the Dallas Office advised that Smoot had been employed to head and to operate "Facts Forum News," a publication apparently financed by H. L. Hunt, millionaire oil man. The "Facts Forum" organization was organized during the summer of 1951 and conducts public opinion polls. It was expressly desirous of avoiding partisan politics and was designed to deal with studies including governmental science and other vital subjects.

Jones to Nichols memo dated 7/14/51 recommended that the Bureau not cooperate with "Facts Forum" in any way in the event a request along this line should be received. In July, 1955, Smoot severed his connection with "Facts Forum." Smoot in April, 1956, was publishing a weekly publication entitled "Dan Smoot Speaks" designed to give its readers "the important information that only an ex-FBI man like Dan Smoot can supply." This publication and its successor, "The Dan Smoot Report," which is edited and published weekly by Smoot at Dallas, Texas, has publicized the statement that Smoot at one time "was Administrative Assistant to J. Edgar Hoover." Smoot's remarks in his lectures and the tenor of many of the articles in his publication smack of right-wing arch-conservatism, make frequent references to the communist threat, oppose foreign aid by the U.S. Government, favors segregation of races, favors decreased Federal income taxes and reduced government spending and government regulation. Smoot, active in the States' Rights Party, has been the subject of considerable correspondence addressed to the Bureau by readers of his publication. Smoot himself claims an average weekly circulation for "The Dan Smoot Report" of about 10,000 and has stated that the same material is projected via radio and television largely on the west coast. He estimates his regular listening audience at 1,000,000. Bureau field offices have been advised to be most circumspect concerning any inquiries from Smoot or in connection with any contacts which he may seek to initiate. Smoot, disclaiming any other form of support for his current activities, claims that his program of using "fundamental American principles as a yardstick for measuring all important issues" is financed entirely from sales of "The Dan Smoot Report." (67-263689)

In view of Smoot's antagonistic attitude and unsavory Bureau record, we have avoided contact with him.

RE: GEORGE MELLOAN

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There is no record of Melloan in Bufiles.

OBSERVATIONS:

From an analysis of the facts regarding the Bureau's investigation of [] and the thoughts expressed in Melloan's article and the comments of Dan Smoot, it is apparent that the purpose of the "Wall Street Journal" article as well as "The Dan Smoot Report" is to reflect opposition to Government regulation generally and particularly toward the implementation, in this instance, of the provisions of the Agricultural Adjustment Act of 1938 and the various referendums conducted among wheat farmers under the sponsorship of the Department of Agriculture. Neither Melloan nor Smoot is actually

M. A. Jones to Mr. Nease Memorandum

With this conclusion I do not agree.

1) directly critical of the Bureau's investigation in this matter but each apparently seeks to give force to the traditional policies of the two publications concerned regarding the regulation of private citizens by the Federal Government, and each writer makes much of the fact that the Bureau, in performing what is actually a perfunctory and more or less routine investigation at the request of a United States Attorney actually serves, through innuendo, as the arm of force to insure compliance with Government regulations. While this is not, of course, the case, it is felt that the Bureau's position has been accurately delineated in the press and in response to inquiries by interested persons.

The Bureau, as reflected above in this memorandum, has consistently presented its position on [redacted] case to meet all criticisms. It is felt, however, because of date of the "Wall Street Journal" article (7-14-58) no effort should now be made to contact its author, George Melloan. In addition, it is felt that Bureau should not endeavor to contact the individuals mentioned by name in the "Wall Street Journal" article as having commented on the Bureau's investigation, because the [redacted] case is currently an explosive situation in Michigan and they would be partial to [redacted]. Moreover, because of the antagonistic attitude and unsavory Bureau record of Dan Smoot, it is also felt we should not contact him.

b6
b7C

ERWIN WASEY, RUTHRAUFF & RYAN, INC.

5045 WILSHIRE BOULEVARD • LOS ANGELES 36, CALIFORNIA • WEBSTER 1-1211

EMMETT C. McGAUGHEY
EXECUTIVE VICE-PRESIDENT

August 19, 1958

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DATE 3/23/77 BY SP1 mdy

The Honorable John Edgar Hoover, Director
Federal Bureau of Investigation
716 San Diego Trust and Savings Bank Building
San Diego, California

Dear Mr. Hoover:

You will be interested in the enclosed letter from Reese
Taylor, together with the August 11th copy of the Dan Smoot
Report.

Since Reese expressed interest in discussing this with you
it was felt that you would appreciate having this material.

We are looking forward to seeing you with keen anticipation.

Kindest personal regards,

NOTED

Erwin Wasey

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CRIME REC.

UNION OIL COMPANY OF CALIFORNIA

UNION OIL CENTER

LOS ANGELES 17, CALIFORNIA

REESE H. TAYLOR
CHAIRMAN OF THE BOARD

August 14, 1958

Mr. Emmett C. McGaughey
Erwin, Wasey, Ruthrauff & Ryan
5045 Wilshire Boulevard
Los Angeles 36, California

Dear Emmett:

It would be interesting to see what Mr. Hoover's reaction is
to the Stanley Yankus, Jr. article, which is attached.

Looking forward to seeing you at your cocktail party and
many thanks for including me,

Yours most sincerely,

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ENCLOSURE

THE

Dan Smoot Report

ALL INFORMATION CONTAINED
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Vol. 4, No. 32 DATE 7/23/77 Monday, August 11, 1958

Dallas, Texas



DAN SMOOT

A Yank Named Yankus

In 1940, Stanley Yankus, Jr. — then aged 21 — left a clerk's job in Chicago to make his living and his life on the farm. Son of a Lithuanian immigrant who came to America looking for freedom, Stanley Yankus has an inordinate love for the great principles of individual freedom written into the Declaration of Independence and the Constitution of the United States. And he has an understanding of those great documents which should shame every one of America's Supreme Court Justices, all officials in the executive branch of the federal government, and 99% of all Congressmen and Senators of the United States.

Yankus has never asked for any handouts from government — and wouldn't accept any that were offered. With the help of his wife — and later, of his two sons — he built his little piece of land (in Pokagon Township, near Dowagiac, Michigan) into a prosperous poultry farm.

He grows wheat, oats, and barley on about 100 acres; but he doesn't market the grain: he feeds it to his chickens.

By 1954, Yankus was producing 53,000 dozen eggs a year. He was the largest, most dependable producer in Cass County, Michigan.

In 1954, the Agricultural Stabilization Committee notified Yankus that he had been fined \$900 for growing 38 acres of wheat instead of the 12 acres to which the ASC quota had limited him. The quota had been imposed on him as a result of a Wheat Referendum in which the farmers of Cass County had voted for acreage controls and subsidies. Yankus had not been eligible to vote in the Referendum, because the ASC had disqualified him by assigning him a 12-acre allotment; and a farmer had to have at least a 15-acre allotment to qualify as a voter.

The \$900 fine imposed on Yankus in 1954 would have wiped out his entire profits for that year. But he didn't pay the fine. He went about his chicken business, ignoring the Agri-

THE DAN SMOOT REPORT, a magazine edited and published weekly by Dan Smoot, mailing address P. O. Box 9611, Lakewood Station, Dallas 14, Texas, Telephone TAYlor 4-8683 (Office Address 6441 Gaston Avenue). Subscription rates: \$10.00 a year, \$6.00 for 6 months, \$3.00 for 3 months, \$18.00 for two years. For first class mail \$12.00 a year; by airmail (including APO and FPO) \$14.00 a year. Reprints of specific issues: 1 copy for 25¢; 6 for \$1.00; 50 for \$5.50; 100 for \$10.00—each price for bulk mailing to one person.

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cultural Stabilization Committee's acreage allotments and fines each year.

By the end of 1957, accumulated fines and penalties totaled \$3,848 — which was about \$400 more than Yankus and his wife had in their joint checking account at the bank in Dowagiac.

Then the naked power of government was unsheathed to show Stanley Yankus and others like him that they are criminals in contemporary America if they try to live and work as proud, free men.

George Melloan, reporter for the *Wall Street Journal*, after an on-the-spot investigation, had this to say about Stanley Yankus, Jr. (*Wall Street Journal*, July 14, 1958):

"The only thing necessary for the triumph of evil is that good men do nothing."

Stanley Yankus, Jr., a surprisingly eloquent 39-year-old poultry farmer, quoted these Edmund Burke lines recently in a letter to United States District Attorney Wendell A. Miles at Grand Rapids. Mr. Miles is employing legal action against Mr. Yankus to collect some Federal fines. For what offense against the United States? For planting too much wheat on his farm. . . .

Ever since wheat farmers voted for penalties in 1954, Mr. Yankus has refused to recognize restriction on the wheat acreage he plants to raise chicken feed. He doesn't sell wheat, so efforts to support the market are no concern of his, he insists. . . . his overplanting fines have mounted to \$3,848. After two years of trying gentle persuasion, Mr. Miles . . . this spring brought force to bear.

In April, an F. B. I. agent visited egg buyer Sam Daken in Benton Harbor and quickly determined the income Mr. Yankus derives from his eggs. Mr. Daken, who regards Mr. Yankus as one of his most conscientious suppliers, was reluctant but opened his books to the agent. "I was impressed by the badge," he says. "I'd seen it on TV." A request that he not tell Mr. Yankus about the visit "sounded like an ultimatum," Mr. Daken said.

Another visit, to Executive Vice President Max Pugsley of the Dowagiac National Bank, apprised the Government of Mr. Yankus's checking account. "I don't like that sort of thing, but if you tried to stop them you'd be in a mess all of the time," says Mr. Pugsley.

The Washington operative also paid a call on a reporter for the Dowagiac Daily News and asked a few cryptic questions about Mr. Yankus' past.

On April 24, Mr. Yankus' checking account was frozen by a Federal court order. Several weeks ago, a court judgment gave the Government Mr. Yankus' half of the joint account, or \$1,701. Advised by an attorney that he probably could not get a jury trial or win his case, Mr. Yankus did not contest the Government action.

He has since been forced to sell 1,100 of his flock of 6000 chickens to get working capital, reducing his egg income by about 20%. Plans for a new feed room and repairs to the barn and chicken coops have been abandoned.

That this could happen to "Stanley," who is friendly, open, and well-liked, perplexes his neighbors in this southwest Michigan farming area. "People tell me on the street that 'they can't do that to you,' even though they've already done it," he says. . . .

About \$80 has come to him from well-wishers, \$50 from a farmer-schoolteacher in another town. . . .

An impassioned local businessman, veteran of World War II's D-Day, declares: "Stanley has a right to live. He's not waxing rich. His wife and kids have to work gathering, sorting and candling eggs. Why does the Government do this to him?"

The \$3848.00, for which the government seized Yankus' bank account — and threatens, indeed, to seize his farm and all the rest of his property — was the accumulation of fines and penalties for 1954, 1955, 1956, and 1957.

On July 18, 1958, Stanley Yankus received a letter from the Agricultural Stabilization Committee saying that he had been fined an additional \$713.95 for his 1958 wheat — which Yankus hadn't even harvested.

Clinging stubbornly to his belief that the Constitution guarantees his God-given right to mind his own business as a free man, Yankus says:

It's stealing — nothing more than stealing. But here's something that worries me even more. I learned that an FBI agent had been over asking my egg buyer in Benton Harbor a lot of questions about me. The awe that people have of the FBI makes that very damaging to me. People get leery of doing business with a man if they think it will bring the FBI down on them.

You see, they are getting afraid of their own government.

My neighbors think this whole thing is ridiculous and wrong, but they have gone along with it, either because they are afraid of the government and don't want to stick their necks out, or because they don't care where the money for their wheat comes from.

I'm frightened too, but not for myself. I'm frightened for this country I love. What happened to me is the action of a police state — the sort of life we were brought up to detest.

If I don't stand up and fight, I'll be helping to lose all our American freedoms; and a lot of them are already gone.

My wife has asked me to go along and be sensible in order to save our chicken farm; but I just cannot. I don't want my kids to grow up in a world where they are going to be shipped around like pigs.

Maybe I'm stubborn, but I've read enough history to know that the men who wrote the Declaration of Independence were stubborn too. There were a lot of "sensible" people in those days who didn't want to stick their necks out; and who wanted to go along with the British and be reasonable and avoid trouble.

But the stubborn men who wrote the Declaration of Independence — the men who came to be known as the greatest statesmen of all times — wouldn't accept the British government just because it was the government. They wanted a voice in it.

I know I'd be "better off" if I went along. Now the government fines me for just trying to make a living for myself and my family. If I'd go along, the government would pay me for not growing wheat. I read recently where President Eisenhower's farm earned \$2,000 for not raising crops.

But I'm fighting for principle, and I'm not going to give up. I don't have money for legal defense; and, besides, the federal courts have been refusing to follow the Constitution in cases like mine. Money is secondary anyway. If we lose our freedom, the money won't mean anything.

I don't want sympathy. I can find that in the dictionary. I'm just trying to get more Americans to help in this fight to save freedom.

* * * * *

The Stangland Case

In 1954, Ethan Stangland planted 30 acres of wheat on his little farm, rural route 2, Albion, Indiana. He had not voted in any Wheat

Referendum, had not applied for or accepted any government subsidies or price supports, and had not even been given an acreage allotment.

But the Agricultural Stabilization Committee, after the fact, decided that Stangland should have planted only 14 acres. By a complex mathematical formula, the ASC fined Stangland \$394.24 for growing "excess wheat" on 16 acres.

Stangland did not market the wheat. He fed it to cattle on his own farm. The specific charges against him were that he failed to sell his excess wheat to the government.

Stangland ignored repeated threats. In May, 1955, the Department of Justice filed suit against him in Federal District Court. Farmers cannot go into the federal courts to get relief from the arbitrary fines imposed by the Department of Agriculture, but the Department can go into federal court to collect fines from the farmers.

Stangland asked for a jury trial, which was denied. On February 14, 1956, Judge Luther M. Swygert, Federal District Court at Fort Wayne, Indiana, in a summary judgment which denied Stangland a trial by jury or any other relief in the courts, ordered Stangland to pay the \$394.24 fine.

An Appellate Court upheld Judge Swygert.

Stangland never did pay. The government kept dunning him and warning him — and adding 6% interest to the fine.

A United States Marshall attached Stangland's bank account, but the account had only \$9.00 in it.

By June, 1958, the \$394.24 fine assessed against Stangland had grown (with interest and court costs) to \$489.09.

The early spring of 1958 was wet in the midwest. Crops were late. When the rains finally stopped, farmers were hard pressed to get their crops made in time to harvest them.

The federal government waited until Stangland had his hay on the ground where it would rot if he couldn't take it up, and until

his corn and bean crops badly needed plowing.

On June 26, 1958, government agents showed up at Stangland's farm and hauled away both of his tractors — leaving him helpless to save his crops and run his farm, unless he could borrow equipment from neighbors.

One of the tractors — almost new — was valued at more than enough to pay the total amount of the government's judgment. The other tractor — very old — was worthless for resale, worthless as something for the government to auction off. But Stangland could have used it. It would have enabled him to save his crops.

The government agents took *both* tractors and stored them, at Stangland's expense, in Fort Wayne.

When asked why they took both tractors, when the new one was obviously worth more than enough to settle the government's claim, government officials would not answer.

The answer is no doubt to be found in the fact that Ethan Stangland, a 56-year-old independent American of proud and sturdy character, had become President of the Independent Farmers of Indiana and chairman of the National Council of Farmers for America. He is becoming a real thorn in the side of bureaucrats. They intend to put him out of business and destroy his influence — frighten into quiet submission all who may have been inspired and encouraged by his example.

Ethan Stangland says:

This is not a question of money. It involves a principle on which I feel deeply — a man's constitutional right to run his own farm, mind his own business, and earn an honest living.

I could pay the judgment, but to do so would be to betray my conviction that Americans must assert themselves if they are to stop the spread of socialism and the loss of freedom.

I want to protect the freedom our ancestors shed blood to get for us, before our grandchildren have to shed their blood to recover it. I have five grandchildren.

Before I moved onto my present property, I received checks from the government — for doing things that any self-respecting farmer has to do

anyway to keep his farm in shape and producing. I always returned the checks.

When the federal farm employees used to come around asking me to get in certain programs and benefit from the handouts of tax-money, I gave them all the same standard answer:

"Go on down the road."

Mr. Stangland's son, Robert E. Stangland, a bank employee in Churubusco, Indiana, says:

The Government, in its prosecution of this case, dared not allow the decision to rest with a jury. They dared not allow Mr. Stangland the right to testify on his own behalf and to call witnesses. Nor did they dare call their own witnesses and grant him the right of cross-examination. . . .

The wheat in question was not involved in interstate commerce. In reality, the wheat was not even involved in commerce. Yet the government, in order to circumvent the right of trial by jury, and even to prosecute in the beginning, had to state that he was engaged in interstate commerce.

They had to say, in effect, that white is black; that whether or not the wheat was involved in interstate commerce, it could have been, and thereby posed a threat to the market.

The actual court ruling reads in part:

"the point of emphasis was on the economic effect of such intrastate activity on interstate commerce."

Mind you, the wheat never left the farm!

This is how a man was declared guilty by court decree for something he didn't do!

The undeniable and irrevocable fact remains that Mr. Stangland was denied a trial by jury. . . .

Mr. Stangland has chosen not to become a parasite to the taxpayer through government subsidies. It has been demonstrated to us all what fantastic steps will be taken to force an individual to become such a parasite.

* * * * *

Whiteleather Case

Dr. P. Scott Whiteleather, physician who lives and practices in Minerva, Ohio, has a 150 acre farm which he runs as a sideline.

Having refused all subsidies and other government "benefits," Dr. Whiteleather paid no attention to wheat acreage allotments assigned him by the Agricultural Stabilization Committee. In 1954, the ASC fined him \$420 for more wheat acreage than his allotment. He didn't pay. He planted wheat as usual in 1955,

and the ASC ignored him; but in 1956, the government agency fined him \$115.56 for overplanting.

By March, 1958, Dr. Whiteleather owed a total of \$608.56 — fines plus costs and interest.

On March 14, 1958, the United States Marshall drove down from Cleveland and seized the doctor's car, parked outside his office. The car was stored in Cleveland, at the doctor's expense, to be auctioned off to satisfy the government's claim.

At about this same time, the Agricultural Stabilization Committee notified Dr. Whiteleather that federal agents would come onto his farm on April 1 and survey his wheat fields, in order to determine how much he was to be fined for his 1957 fall planting of wheat.

Dr. Whiteleather politely notified the ASC that his farm was private property and that it was posted against trespass by federal employees. Dr. Whiteleather said that if the federal agents came without an official search warrant, he would not let them on his place.

The federal agents showed up, without search warrant, on April 1. But 215 of Dr. Whiteleather's farmer friends and neighbors had arrived first. They were milling around carrying placards which revealed in large letters what they think of the "Wheat Police" in particular and about the whole government program for socializing American agriculture in general.

The federal agents didn't even get out of the car.

But they didn't go get a search warrant. They had no legal grounds for a search warrant. They merely went into federal court and obtained a court injunction, enjoining Dr. Whiteleather and others from interfering with their trespass on Dr. Whiteleather's farm!

If Dr. Whiteleather and his friends had tried to keep the federal agents off the farm after the issuance of this injunction, they

could have been put in jail, without a trial, for contempt of court.

They didn't interfere, and the federal agents made their trespass upon and survey of Dr. Whiteleather's farm — in defiance of the Bill of Rights which guarantees American citizens against illegal entry and searches without warrant.

Dr. Whiteleather made no effort to redeem the automobile the government took away from him. In fact, he suggested that the Department of Agriculture just take over his farm and run it; but said that he would not compromise his principles by paying the ASC fines and going along with its programs.

Dr. Whiteleather said:

They can take my car, and they can take my farm, but they can't run my business.

The stern measures against Dr. Whiteleather may be explained by the fact that he is President of the Independent Farmers of Ohio.

Administrative Tyranny

Separation of the powers of government is a basic principle of the American constitutional system. The Constitution separated the federal establishment into three branches — executive, legislative, judicial — giving each a check on the other and prohibiting each from encroachment upon the authority of another.

In the execution of law upon citizens in an organized society, this principle of separation of powers is far more ancient than the Constitution. Even the old English system — which American colonists rebelled against because they thought it tyrannical — distinguished between the functions of the police, of the prosecutor, and of the judge.

The Agricultural Adjustment Act of 1938 (as amended) eliminates this principle of separation of powers, so essential to freedom, and sets up the principle of Administrative Law which is as autocratic as anything ever con-

ceived of by the nazis or the communists.

The Act makes the Secretary of Agriculture a czar of agriculture. The Secretary and his underlings have a wide and vague grant of power to make whatever rules and regulations they may deem necessary to carry out the purposes of the Act. Their rules and regulations have the force of law; and the bureaucrats can change the "law" any time they wish, without consulting anyone. All they have to do is promulgate a new rule or regulation and publish it in the *Federal Register*. It then is a binding law.

The citizens who are bound by this "law" frequently cannot find out what it is. The *Federal Register* is almost impossible to obtain — unless you have access to a large library or can afford \$20 a year for a subscription. If you could afford to subscribe, it is doubtful that you could understand the Administrative Law (the bureaucratic rules and regulations) published in the *Register*, unless you are a trained and experienced lawyer. Even if you had the money to subscribe to the *Register* and the necessary training to understand it, you would have to spend practically all of your time reading the thing just to keep up with the thousands of new and changed "laws" which the bureaucrats spend all of their time writing.

The complexity of Administrative Law which fills the *Federal Register* is so vast and senseless and contradictory that the bureaucrats themselves don't know what the latest law is.

This is the body of "law" which (superimposed on the normal complex of law) controls the farming operations of Americans.

What happens when a farmer runs afoul of one of these "laws"? The bureaucrats who made the "law" are the ones who bring the charges. They investigate their own charges. They make determinations of guilt or innocence (frequently without even letting the

accused know that he has been accused) and they arbitrarily assess penalties.

The case of Evetts Haley, Jr. is merely one of hundreds of perfect illustrations.

The Agricultural Stabilization Committee of Stillwater, Oklahoma, arbitrarily decided that Haley had grown more wheat than he should have grown. The ASC "investigated" (presumably), decided that Haley was guilty, and assessed a fine of \$506.11 against him. Haley took a load of his wheat into town one day to sell it on the "free" market and discovered that he couldn't sell it because he had no Wheat Marketing Card.

When he went to the ASC office to find out about the card, he discovered that he had been accused, investigated, tried, found guilty and fined for growing too much wheat.

What, if the wheat farmer thinks he has been unjustly treated and wants to appeal this arbitrary decision of bureaucrats? The only people he can appeal to are the bureaucrats who made the decision. Hundreds of farmers have tried to appeal to the regular courts. The federal courts say that the Agricultural Adjustment Act gives the Department of Agriculture authority to make the rules, to determine violations, and to assess penalties. All that the court will do is to determine (usually in about 15 minutes) that the Department of Agriculture agency has followed its own rules.

Numerous farmers have tried to test the constitutionality of the Agricultural Adjustment Act. When the Department of Agriculture assesses a penalty against them for violating some Department of Agriculture regulation, such farmers admit that they did not obey the regulations; they ignored the bureaucrats' acreage allotments because they regarded themselves as free men; they owned their land and felt that they should be free to farm it; they accepted no handouts from

government — hence they felt that government had no right to tell them how to farm.

In every such case that has been heard to date (and there have been hundreds) the courts have denied the farmers the right to test the constitutionality of the law which governs their lives. The federal judges merely say that the Agricultural Adjustment Act is the "law of the land" and that farmers are bound by it.

In one such case at Toledo, Ohio, in January, 1956, Federal Judge Frank L. Kloeb (much irritated because so many farmers were coming into his court trying to test the constitutionality of the AAA) said that the farmers' efforts were "preposterous" and that he was going to start "handing out stiff sentences" to farmers who tried to question the validity of the law. The judge said that the AAA is the law of the land and that he would refuse "absolutely to go into the question of constitutionality."

The Evetts Haley, Jr. case may turn out to be the first exception. Whereas other Federal Courts have consistently dismissed farmers' wheat penalty cases, throwing the farmers back on the tender mercies of the bureaucrats who assessed the penalties in the first place,

the Federal District Court for the Northern Division of Texas (Judge T. Whitfield Davidson, Dallas) has arranged to give young Haley his day in court.

The Haley case is now set for trial in Judge Davidson's court, without a jury, for September 8, 1958.

The Referendum

The Agricultural Adjustment Act of 1938 (as amended) provides for referendum voting. If two-thirds of all farmers voting want compulsory controls of a particular crop, all farmers planting that crop are subject to the controls — which have the force and penalties of law.

Every year when the Department of Agriculture conducts a Wheat Referendum, or some other crop referendum, official reports of the total vote show that from 70% to 90% of the farmers favor the compulsory crop controls and subsidies.

Thus, the general public is led to believe that the farm programs must be helping farmers, because an overwhelming majority of farmers want them.

If 2/3 of the farmers vote for something they think good for the farm economy,

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side — the side that uses fundamental American principles as a yardstick for measuring all important issues. Smoot now has no support from, or connections with, any other person or organization. His program is financed entirely from sales of his weekly publication, *The Dan Smoot Report*.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.

shouldn't the other 1/3 be bound by the expressed desires of the majority?

Actually, this referendum principle written into AAA violates a basic premise of American constitutional government—namely, that the rule of the majority is limited by inalienable rights of individuals.

The referendum — on its face — gives one class of Americans (farmers) the privilege of voting, for themselves, subsidies that are to be paid by all taxpayers. Truckdrivers, businessmen, doctors, lawyers, elevator operators — the majority of American taxpayers who live in cities — don't have a vote on the question of whether their money should be taken to pay subsidies to farmers.

And, when you get right down to it, most of the real farmers themselves don't have a vote.

The Department of Agriculture has absolute power to set the dates of the referendum, determine all the rules, officiate at the elections, count the vote, and decide who is eligible to vote.

In the Wheat Referendum, the Department of Agriculture arbitrarily decides that farmers with wheat allotments of less than 15 acres cannot vote. By this means, about 2/3 of all farmers east of the Mississippi River are denied

a vote in the Wheat Referendum. A small minority of large western wheat growers — many of which are big city syndicates, or tax-exempt co-operatives, or absentee-owned company farms — have most of the votes in a wheat referendum.

In the Wheat Referendums held in 1957, "farmers in 36 wheat growing states voted overwhelmingly to support the federal program of acreage allotments and marketing quotas" — according to press releases handed out by the Department of Agriculture.

Just what kind of choice did the farmers have in that referendum? By voting "yes" in the referendum, they got federal price supports of \$1.78 a bushel for their wheat. If they had voted "no" — their only other choice — they would have been voting for federal price supports of \$1.18 a bushel.

With most of the small, independent family-type farmers ruled ineligible to vote; with there being no possibility for farmers who believe in freedom and American principles to vote for what they believed in; with the only choice being to vote for \$1.78 wheat or \$1.18 wheat — is it surprising that most of the nation's farmers refused to participate in this Soviet-type wheat referendum — whose results, nonetheless, became binding on all farmers?

If you do not keep a permanent file of *The Dan Smoot Report*, please mail this copy to a friend who is interested in sound government.

DAN SMOOT,
P. O. Box 9611, Lakewood Station
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CITY AND STATE

Controls Fighter

Farmer Yankus Ignores Planting Rules; Federal Fines Rise and the F.B.I. Comes

By GEORGE MELLOAN

DOWAGIAC, Mich.—“The only thing necessary for the triumph of evil is that good men do nothing.”

Stanley Yankus, Jr., a surprisingly eloquent, 39-year-old poultry farmer, quoted these Edmund Burke lines recently in a letter to United States District Attorney Wendell A. Miles at Grand Rapids. Mr. Miles is employing legal action against Mr. Yankus to collect some Federal fines. For what offense against the United States? For planting too much wheat on his farm.

The evil that Mr. Yankus sees is the surrendering of individual freedom to the Federal Government in exchange for economic security. Sitting before a large framed copy of the Declaration of Independence in his living room, farmer Yankus declares his own independence and his willingness to continue to make personal sacrifices for that principle as he sees it.

“I feel there is nothing to be gained in losing the right to control one's own destiny,” he says. “Some people feel that it is possible to get something for nothing, but I know that it is impossible.”

Fines of \$3,848

Ever since wheat farmers voted for penalties in 1954, Mr. Yankus has refused to recognize restriction on the wheat acreage he plants to raise chicken feed. He doesn't sell wheat, so efforts to support the market are no concern of his, he insists. The law decrees otherwise, but offers farmers who feel unfairly restricted the right of appeal. Mr. Yankus, like some other farmers, has refused all such remedies and his overplanting fines have mounted to \$3,848. After two years

of trying gentle persuasion, Mr. Miles, who was handed the case by Department of Agriculture attorneys, this spring brought force to bear.

In April, an F.B.I. agent visited egg buyer Sam Daken in Benton Harbor and quickly determined the income Mr. Yankus derives from his eggs. Mr. Daken, who regards Mr. Yankus as one of his most conscientious suppliers, was reluctant but opened his books to the agent. “I was impressed by the badge,” he says. “I'd seen it on TV.” A request that he not tell Mr. Yankus about the visit, “sounded like an ultimatum,” Mr. Daken said.

Another visit, to Executive Vice President Max Pugsley of the Dowagiac National Bank, apprised the Government of Mr. Yankus's checking account. “I don't like that sort of thing, but if you tried to stop them you'd be in a mess all of the time,” says Mr. Pugsley. The Washington operative also paid a call on a reporter for the Dowagiac Daily News and asked a few cryptic questions about Mr. Yankus' past.

On April 24, Mr. Yankus' checking account was frozen by a Federal court order. Several weeks ago, a court judgment gave the Government Mr. Yankus' half of the joint account, or \$1,701. Advised by an attorney that he probably could not get a jury trial or win his case, Mr. Yankus did not contest the Government action.

He has since been forced to sell 1,100 of his flock of 6,000 chickens to get working capital, reducing his egg income by about 20%. Plans for a new feed room and repairs to the barn and chicken coops have been abandoned.

That this could happen to “Stanley,” who

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is friendly, open and well-liked, perplexes his neighbors in this southwest Michigan farming area. "People tell me on the street that they can't do that to you," even though they've already done it," he says.

He has told his story to the Dowagiac Rotary Club and the township supervisors, received handshakes and sympathy. About \$80 has come to him from well-wishers, \$50 from a farmer-schoolteacher in another town.

Robert A. Wilson, a printer and one of Dowagiac's two justices of the peace, reprinted newspaper stories of the case and has been mailing them to newspapers, Congressmen and Senators at his own expense.

An impassioned local businessman, veteran of World War II's D-Day, declares: "Stanley has a right to live. He's not waxing rich. His wife and kids have to work gathering, sorting, and candling eggs. Why does the Government do this to him?"

Mr. Yankus has joined the Independent Farmers of Michigan, about 15 to 20 men who are resisting controls. Last year was the first that Michigan farmers voted in favor of penalties (4,000 out of an eligible 22,000 voted) but only 30-odd cases still are in litigation, most from the first year. There are other "Independent" groups in Ohio, Indiana, North Dakota and Montana, one Ohio group headed by Dr. P. S. White-leather, whose car was confiscated by Federal agents because of his fines. A Texas farmer, Evetts Haley, Jr., is fighting wheat penalties in the courts and plans to go to the Supreme Court if necessary. Mr. Yankus keeps track of these doings in the "Wheat Police News," put out by the Montana group.

Sitting at a wooden desk in his sparsely furnished living room, Mr. Yankus writes 10 to 20 letters a night to other rebels, newspapers, magazines and political organizations. Having dived into an ideological maelstrom, he is being thrown a variety of ideological rescue lines.

Charles Lockwood, a Detroit attorney who is a Democrat and a local board member of the American Civil Liberties Union, objects strongly to the use of the F.B.I. in a Federal civil action against Mr. Yankus.

Won't Give Up

From the political right, Dan Smoot, a former F.B.I. man himself and champion of right-wing causes through the Dallas-based "Facts Forum" movement, hopes to make use of the Yankus story.

Support of a more moderate type comes from farm publications. Senator Potter (R., Mich.) arranged a meeting between Mr. Yankus and Mr. Miles two years ago, trying for a settlement. It failed after a sometimes-heated two-hour discussion.

Through all this welter of conflicting ideologies, Mr. Yankus clings to his belief that the Federal Constitution guarantees him the right to mind his own business without interference.

"I'm not going to give up," he declares with characteristic stubbornness. "I'm not going to pay any fines or make any deals." Nodding towards two young lads nearby and only seemingly engrossed in books, he adds: "I don't want my kids to grow up in a world where they are going to be shipped around like pigs."

It's a Free Country, but—

EXTENSION OF REMARKS
OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 12, 1958

Mr. BROOMFIELD. Mr. Speaker, those who stand up for the dignity of the individual are becoming fewer and farther between. When these people do assert their constitutional rights, all too often it is the Federal Government which attempts to knock them down. I would like to call the attention of my colleagues to an article which appeared in the Detroit Times on May 7, written by E. A. Batchelor, Jr. It is a sad story of what can happen under our present agricultural acts.

IT'S A FREE COUNTRY, BUT—
(By E. A. Batchelor, Jr.)

DOWAGIAC, May 7.—By the proud, unyielding code of Stanley Yankus, Jr. it is wrong to accept somebody else's money for nothing.

For years on his Cass County farm Yankus, 39, made sure he never had to.

His formula was simple. He grew grain on his farm, fed it to his chickens and took their eggs to market.

He never grew rich but his wife and three children did not want.

And Yankus had his independence. It was for that he left a humdrum clerk's job in Chicago 18 years ago to start life as a farmer deep in debt and willing to learn by his mistakes.

Independence is a precious heritage to Yankus. It was for freedom that his father left Lithuania. An uncle who remained behind is in a Russian concentration camp today.

But the Government that he reveres has seized the \$3,403 he wrung from his farm and put in a savings bank here.

Yankus is a frightened man.

"I am not frightened for myself," he said today. "But I am frightened for this country I love."

"What happened to me is the action of a police state—the sort of life we were brought up to detest."

"And I find my friends and neighbors are afraid of the Federal Government. Don't they realize you and I and all other citizens are the Federal Government?"

This is what happened to frighten and bewilder Stanley Yankus: Four years the Agriculture Stabilization and Conservation Board, Federal agency, fixed the amount of land that farmers could sow to wheat.

The move was to control wheat surpluses. By preventing wheat from reaching the market, prices are kept up artificially.

It was done in Cass County by referendum by the farmers to whom the ASC had arbitrarily granted an allotment of 15 acres of wheat. Only they are eligible to vote in this annual referendum.

Yankus said, "This is not a free election. It is a price-fixing election by special interests. The consumers who buy bread can't vote in it."

But Yankus' wheat does not reach the market. It goes to feed his chickens.

In 1954 Yankus was told he was fined \$900 for growing 38 acres of wheat instead of the 12 to which the ASC quota limited him.

It was a bad year to fine Yankus. Disease had ruined his chickens. The fine came

him \$25 of wiping out his profit for the

year. He did not pay. He has not paid for 4 years during which he has shown a modest profit and managed to save \$3,403.

That's the bank account that the Government impounded last week until Yankus pays his fines which now amount to \$3,848.

Yankus said, "Yet, if I signed up with the Government to grow only 12 acres of wheat, they would buy it from me at \$2.08 a bushel and put it in storage to rot."

He said many of his farmer neighbors thought the whole thing was ridiculous but had gone along, either because they don't want to stick their necks out or because they don't care where the money for their wheat comes from.

He is not an easy man to appease, this Yankus. He admits it, and adds:

"I've read enough history to know that the men who wrote the Declaration of Independence weren't easy to do business with, either. They didn't accept the British Government just because it was the government. They wanted a voice in it."

"There were plenty in those days who didn't want to stick their necks out. But we call them Tories in the history books and we look down on them."

There is a strange eloquence to Yankus as he voices his creed.

The Constitution is his bible and he points to that section which says that no citizen shall be deprived of life, liberty, or property without due process of law.

"Who made the law that seized my savings?" asks Yankus. "I didn't vote on it and you didn't. If I had robbed a bank I would have had my day in court. But they tell me I can't get a jury trial for my crime."

Since his bank account was impounded Yankus has been forced to sell 1,000 pullets to get some ready cash.

"That hurt," he said, "but here's something that worries me even more. I learned that an FBI agent had been over asking my egg buyer in Benton Harbor a lot of questions about me."

"This awe people have of the FBI makes that very damaging to me. People get leery of doing business with a man if they think it will bring the FBI down on them. You see, they are getting afraid of their Government."

Yankus said the Cass County ASC board urged him to plant corn instead of wheat, explaining:

"They told me I could raise all I wanted and feed it to my chickens or sell it. In the first place, to raise corn I would have to buy about \$2,000 worth of specialized farming equipment."

"Then if I did sell the corn, I would have to take the money and pay ridiculous high prices for the wheat my birds need."

"It's just too much like somebody telling me what I have to serve for supper each night. I can't go for it."

To try and get the Government explanation you go to the offices of the Cass County ASC board which administers the law Yankus is fighting.

The Federal Government is represented there in a remodeled old railroad depot by Office Manager Russell Leach and five women clerks.

The walls are lined with filing cabinets. They are bulging with the form E-16's and the J-11's so essential to the bureaucrat's existence.

Leach, 49, is a little man with a tiny mustache. He gets \$5,400 a year for checking and reporting on men like Stanley Yankus and seeing that the girls file the multiple reports correctly. He also owns a farm nearby.

ay, he seems just as bewildered as the first thing he tells you is, 'I'm just working here. My job is just to see that his excess wheat is reported.'

Just a cog in a big Government wheel?

"Yes, that's all," says Leach.

True, he said, Yankus is the only farmer in Cass County who is violating the law by growing excess wheat solely for his own use. But the law as written didn't take that into account and "I didn't write the law."

"I don't see why he won't be reasonable and put the land into corn. I think his chickens would do better on that than wheat," said Leach.

They looked pretty healthy on their present diet, the visitor suggested.

Leach smiled wanly and offered no argument.

"I want to get along with everybody. I'm sorry this Yankus thing has caused so much trouble," he said.

"But if I'm not in this job somebody else would be."

As Stanley Yankus had said, "this Government thing has gotten so big and involved a man doesn't even know who he's fighting any more."

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/87 BY sp2 muf/ep

Congressional Record
May 12, 1958
Pages, A4334 & A4335.

62-102576-

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Neasey

ALL INFORMATION CONTAINED DATE: August 27, 1958

HEREIN IS UNCLASSIFIED

DATE 3/23/77 BY spm/ef

Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
Clayton
Tele. Room
Holloman
Gandy
W. J. Sullivan

ST wa FROM : M. A. Jones

SUBJECT: ARTICLE, "A YANK NAMED YANKUS"
"THE DAN SMOOT REPORT"
AUGUST 11, 1958

The Director has raised two points concerning the memorandum dated August 22, 1958, captioned as above. He commented: "I do not understand how we missed Wall Street Journal article of 7/14/58 which started smear of FBI in this matter." Also in connection with the "Wall Street Journal's" mention of the Bureau's interview [redacted] egg dealer, Benton Harbor, Michigan, in which the Journal commented that a request by the Bureau Agent that he [redacted] not tell [redacted] about the visit "sounded like an ultimatum," the Director commented,

(1) Inquiry reveals that the "Wall Street Journal" is not reviewed on a regular basis at the Bureau. Likewise, this newspaper is not reviewed on a regular basis by the New York Office. For that reason, the article of July 14, 1958, did not come to our attention. We have determined that a yearly subscription to the "Wall Street Journal" is \$20 while single issues are 10 cents a copy which would amount to \$26 a year by purchase at the newsstand. It is felt that the Bureau should subscribe to the "Wall Street Journal" for a year and then evaluate whether sufficient information is contained therein to merit a continuation of the subscription.

EX 105

REC-93

62-102576-14

(2) In response to the Director's inquiry concerning the interview [redacted] the Detroit Office on 8-26-58 was contacted. By teletype of the same date the SAC, Detroit advised that SA [redacted] who conducted the [redacted] at Benton Harbor, Michigan, on April 24, 1958, had no clear recollection at present as to whether [redacted] was asked to keep the inquiry confidential. According to the SAC, however, SA [redacted] feels he probably told [redacted] he would appreciate it if [redacted] did not disclose to [redacted] that inquiry had been made concerning [redacted] added that [redacted] was not reluctant to be interviewed (as indicated in the "Wall Street Journal") and that the interview was of a very friendly nature.

b6
b7C

57 OCT 21 1958

FCS:mlw (7)

SENT DIRECTOR

8-27-58

CRIME REC.

(Continued next page)

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93-17094-
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Jones to Nease memorandum

It would appear that in the interview of [] SA [] made some mention of the confidential nature of FBI investigations. It is noted that SA [] indicates that [] was not reluctant to give information, as indicated in the "Wall Street Journal" article, and that the interview was of a friendly nature. Accordingly, it would further appear that in the attempt to "blow up" the story the "Wall Street Journal" has twisted the facts.

b6
b7C

RECOMMENDATION:

That the Bureau immediately enter a year's subscription to the "Wall Street Journal," which newspaper will be regularly reviewed at the Seat of Government. After a year an evaluation should be made to determine whether sufficient data concerning our operations has been secured to merit a continuance of the subscription.

This will be done.

gob

*Nease
8/27*

*Handled ④
mr*

REC-24

62-102576-15

November 3, 1958

Mr. William F. Billings
Billings and Donovan
Attorneys and Counselors at Law
109 Meadows Building
Dallas 6, Texas

Dear Mr. Billings:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/2/78 BY SP2 mcy/p

b6
b7C

Your letter of October 27, 1958, has been received, and I certainly appreciate your thoughtfulness in sending me the "Dan Smoot Report" of September 22. It was good of you to furnish me the information concerning the [redacted] case and the part played in it by former Agents of this Bureau.

Sincerely yours,
J. Edgar Hoover

NOTE: Dan Smoot (Howard D. Smoot) is a former Agent, EOD 3-23-42, resigned 6-15-51 shortly after he was censured, placed on probation and transferred because of unfounded charges made against his SAC and his dereliction relative to advising the Bureau about certain information. He was not recommended favorably for reinstatement. Daniel L. O'Connor, mentioned in Billings's letter, is a former Agent, EOD 6-26-39, resigned 10-15-45, services satisfactory. Billings EOD 9-3-40, resigned 8-3-51, services satisfactory and relations cordial since resignation.

DWB:blr
(3)

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Howard D. Smoot - Former Special Agent

OD: 3-23-42; Resigned: 6-15-51

Shortly prior to his resignation, Smoot had been censured, placed on probation and transferred due to several unfounded charges made by him against his SAC and due to his dereliction in not apprising the Bureau of certain matters. His attitude before his resignation and subsequent thereto was extremely and unjustifiably antagonistic and he was not recommended favorably for reinstatement.

**

Daniel L. O'Connor - Former Special Agent

OD: 6-26-39 and voluntarily resigned 10-15-45;

presently practices law in the District of Columbia.

His services were satisfactory.

WILLIAM F. BILLINGS
JAMES P. DONOVAN

BILLINGS & DONOVAN
ATTORNEYS & COUNSELORS AT LAW
109 MEADOWS BUILDING
DALLAS 6, TEXAS

October 27, 1958

Mr. Tolson	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. Nease	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Winterrowd	✓
Mr. W.C. Sullivan	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

Honorable John Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

Dear Mr. Hoover:

DATE 7/23/80 BY sp7 muf/ep

I am enclosing as of possible interest to you a copy of the Dan Smoot Report of September 22, 1958, containing the decision of Federal District Judge T. Whitfield Davidson in United States Versus [redacted] and I represented the defendant who grew wheat on his own farm for farm consumption and refused to pay the penalty for growing non-allotment wheat. Judge Davidson's decision was the subject of front page comment in the N. Y. Times, an editorial in the Wall Street Journal, and generally was carried by the nation's press. It declared the Agricultural Adjustment Act of 1938 unconstitutional in so far as it applied to growing wheat for farm consumption, and was a stirring declaration of fundamental property rights of the individual. [redacted]

Dan O'Connor of Washington, D. C. was of material help in getting together data which was used in evidence; while Dan Smoot was the first to publicize this significant case.

In view of the part played by former F.B.I. agents in this case, I thought you would be interested in having a copy of the decision.

Very truly yours,

William F. Billings
William F. Billings

REC-24

62-702576-15
3 NOV 6 1958

EX-102

PERS. FILES

ENCLOSURE

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EX-102

ENCLOSURE

REC-24

THE

Dan Smoot Report



DAN SMOOT

Vol. 4, No. 38

Monday, September 22, 1958

Dallas, Texas

God Bless This Honorable Court

SYNOPSIS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/23/78 BY spm/maj

Here is a synopsis of the entire contents of this Report:

Federal Judge T. Whitfield Davidson entered a judgment in favor of Evetts Haley, Jr., who had been fined for growing wheat without a government allotment.

The federal farm program is destroying basic Christian concepts of freedom which our Constitution was designed to protect; and the program is unlawful, Judge Davidson says, because there is nothing in the Constitution authorizing government to tell a farmer what he may plant or how he must run his farm.

The Interstate Commerce clause of the Constitution does not authorize such laws. If it did, then all the rights of the sovereign states would be wiped out.

The General Welfare clause does not authorize such laws; because this clause has no affirmative part in our Constitution. Judge Davidson says that if we accept the General Welfare clause as a part of the Constitution which authorizes federal law, we destroy our Bill of Rights.

Department of Agriculture officials, while saying that they cannot afford to let Judge Davidson's Haley Case decision stand, release statistics which prove how much harm their agricultural program has done to America:

Congressman Poage's statement about Judge Davidson's decision is a bald admission that the federal farm program is not designed to help farmers, but is designed to help men like Poage buy votes from their farm constituents, to the detriment of farmers, consumers, and taxpayers in other areas.

That is a summary of this entire issue — the full Report follows:

Background of the Haley Case

The government's wheat penalty case against J. Evetts Haley, Jr. went to trial in Judge T. Whitfield Davidson's federal district court at Dallas on September 8, 1958 (for complete background, see: *The Dan Smoot Report*, November 26, 1956; February 11, 1957; May 6,

THE DAN SMOOT REPORT, a magazine edited and published weekly by Dan Smoot, mailing address: P. O. Box 9611, Lakewood Station, Dallas 14, Texas, Telephone TAYlor 4-8683 (Office Address 6441 Gaston Avenue). Subscription rates: \$10.00 a year, \$6.00 for 6 months, \$3.00 for 3 months, \$18.00 for two years. For first class mail \$12.00 a year; by airmail (including APO and FPO) \$14.00 a year. Reprints of specific issues: 1 copy for 25¢; 6 for \$1.00; 50 for \$5.50; 100 for \$10.00—each price for bulk mailing to one person.

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ENCLOSURE

62-102576-15

1957; March 10, 1958; August 12, 1958). The government had imposed a \$506.11 fine on young Haley for growing 43 acres of wheat on his 1660 acre cattle ranch in Oklahoma, during a year (1956) when the Agricultural Stabilization Committee had given him a zero allotment.

Haley, who had never taken any kind of government subsidy, who raised the wheat to feed his own cattle on his own land, and who thinks that all government subsidies and controls on farmers (and the enforcement procedures that accompany) violate God-given freedoms which the Constitution clearly protects, refused to pay the fine — hoping to test the constitutionality of the whole agricultural program.

It seemed a vain hope at first. Numerous other farmers have tried to do the same thing, but federal courts have refused to hear their cases on constitutional grounds. Making such a test, moreover, is expensive.

After Haley's case had received some publicity, freedom-loving Americans everywhere, feeling that his fight was theirs, sent donations. A Wheat Penalty Defense Fund was set up in Dallas, and, thus far, has paid all legal costs in the Haley case.

In the hands of Attorneys William F. Billings and James P. Donovan (Meadows Building, Dallas, Texas) the Haley Case has now made history. Trial of the case (without a jury) lasted two days. At the conclusion, September 9, 1958, Federal Judge T. Whitfield Davidson — one of the greatest legal scholars and finest patriots in America — handed down a decision which startled Washington officialdom.

The government will appeal Judge Davidson's decision. Most observers predict that it will be reversed in the higher courts; but, whatever the final outcome, Judge Davidson's decision in the Haley Case will always stand as a significant and inspiring statement of American ideals and constitutional principles.

Full Text of Judge Davidson's Decision

Here is Judge Davidson's decision, verbatim and in full, exactly as it was taken down by the Stenographer in Court on September 9, 1958:

Gentlemen, we were inclined to withhold our opinion and reduce it to writing. We doubt, however, if we can say what we want to say, or what we believe, any better in writing than we can say from the bench.

This case, in so far as dollars and cents are concerned, is of small moment, but it involves a question that affects millions of our citizenship. The whole agricultural industry of the nation is affected by this decision, if the Court sustain, or if the Court refuses. In other words, the ultimate decision and the ultimate action of our Government on the question here involved will determine the future of the agricultural population to a very large degree.

In this case the defendant has been sued, we might say prosecuted, for planting wheat. For planting wheat and for harvesting it and feeding it to his stock — the allegation is that he has, within the bounds of the Constitution, violated the Agricultural Act and is due to be penalized, in the sight of the law.

There is such a thing as allowing a time-honored practice, sentiment and feeling to go on for ages until it becomes part of the warp and woof of the people themselves.

Nineteen hundred years ago a man uttered these words,

I have a right to do as I will with mine own,

and for nineteen hundred years that has been one of the pillars and fundamental belief and faith of our people.

You may scoff at the idea of Christian civilization, if you wish. You will find it expressed in 46 of the 48 Constitutions of the states of the Union; you will find it expressed in words like this,

Humbly invoking the help of Almighty God we do now ordain and establish this Constitution.

We have a people in favor of constitutional government. And on that supposition we have lived, starting with the declaration,

I have a right to do as I wish with my own.

I had never heard that questioned until about 1941 when one of our leading economists, who was widely accepted at that time, gave out a statement that when the World War was over we would not return to the former days of free enterprise and freedom of activity that we formerly had and enjoyed in the days of our fathers, because,

We are now entering into a managerial revolution.

It was discussed among the lawyers at the Bar meeting. I couldn't conceive of its really coming into effect, but when we hear the evidence in this case, when we hear the testimony of Mr. Benson, we realize that the managerial revolution is, in fact, here. A man cannot longer do as he pleases with his own.

We might, in addition, look to the father of free government, the father of Democracy, Thomas Jefferson,

Let every man, with the gift that God has given you, work out your own fortunes with a just government:

A little further he said,

The government that governs least governs best.

And in our own generation a great jurist, Judge Brandeis, of the United States Supreme Court, says that the inalienable right of man is to be let alone. Man in his efforts to make his fortune has a right to be let alone, unless he is interfering with somebody else.

Now, the law has been attacked by counsel for the defendant. It has been sustained by our higher courts. I hardly think, however, that the court that sustained this law had before it the record that has been made here, with its direful effect upon the public. They probably had no information of what the ballot was that was submitted to the farmers. And if you take into consideration that when this balloting takes place the farmer is made to know that he has a guarantee of a certain price if he cooperates and none if he does not. Suppose a different ballot, worded thus:

Do you as a farmer, favor the government supervision of production?

Then could you forecast the result?

It is not a question of marketing; it is a

question of whether production is unlawful and in violation of the Constitution.

There are some eighteen different things that the Constitution says Congress may or may not do. We might just casually look at some of those: It has a right to borrow money; a right to regulate commerce; make a treaty with foreign nations; a right to coin money; a right to establish post offices; a right to declare war; and provide maintenance to the navy; and in all about eighteen.

There is nothing in there that says Congress shall have the power to regulate production in agriculture. There is nothing in there that says you may levy an income tax. There is nothing in there that says you might enact national prohibition, but we did enact a constitutional amendment for each and did enact a law of national prohibition and one for income tax. We have as yet no constitutional amendment authorizing either the Congress or the Secretary of Agriculture, or the Department of Agriculture to tell the farmer what he may plant and what he may do in his farm work.

When the Constitution was adopted many objections were urged because there was not a Bill of Rights.

North Carolina adopted a most excellent Bill of Rights; Virginia adopted one not quite so lengthy; so did Rhode Island and others. Then it was referred to Congress, and James Madison worked those things over and reported them, and it was submitted to the people, and ten of them were adopted. So they became immediately a part of the Constitution of the United States.

The Tenth Amendment says:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Now, it is said the Constitution authorized this law. If it authorizes it under anything it is under the 8th sub-section of Article I which deals with commerce among the states. It is sub-section 3 of Sec. 8 — to regulate commerce with foreign nations and among the several states and with the Indian tribes.

So this legislation we now have before us is sought to be made constitutional under that provision.

Therefore, we are relegated immediately back to the word "commerce." Production is not commerce. It has been held in the years gone by, by our courts, and it appears in almost every dictionary you consult, that production is not commerce. It may pass into commerce, but it is not commerce until it does. I am not changing my views; I am adhering to decisions I have heretofore rendered.

On one occasion we were called upon to determine whether the cotton that the cotton farmer still owned was in commerce; he put it in a warehouse and he hadn't sold it. We held it was not in commerce, and was not until he sold it. The fact that it is production that could go into commerce is only a possibility and a contingency.

One of our former Justices of the United States Court, Judge White, who was Chief Justice about the time some of you older men were born, lived in Louisiana, and was one of the most eminent justices of our nation, says in the case of Hooper against California:

If the power to regulate interstate commerce applied to all incidents to which said commerce might give rise, and to all contracts which might be made in the course of its transactions, that power would embrace the entire sphere of mercantile transactions in every way connected with trade between the states, would exclude the states' control over many contracts that are purely domestic in nature. 155 U.S. 648-655. The Hooper Case.

If this law is finally upheld, I think it should be definitely stated by our courts that intrastate commerce has been abolished and that the states have no control over even their domestic commerce.

Now, out of sixty million acres of land planted in wheat this defendant planted forty. I won't take a pencil and see what percentage it would be, but it would be a very small percentage. Well, you say it is small but we notice it because it is the far-reaching principle involved. If it is unlawful for him to produce something on his 40 acres that *might* get into

interstate commerce; then if a woman goes into her garden and gathers a gallon of beans, or, if it is red beans and a farmer gathers them out of his field and consumes them on his table, maybe he has done something that affects commerce, because if he hadn't raised them and hadn't eaten them he might have bought them from the trade and therefore someone in New Mexico would have sold him a gallon of beans, because these things *could* enter into interstate commerce. Let this be established so clearly that we and the members of the Congress will know that there is no such thing as intrastate commerce any more.

Now, I am not going to base this decision solely on this point, because if there can be a definite decision of an issue or controversy between men without denouncing any act as unconstitutional it is better to put it on the other paragraph where one is present.

I am going to notice now for a moment the tendency of doing things under the so-called General Welfare Clause of the Constitution.

In Curtis' Constitutional History, written a little over a century ago under the auspices of Daniel Webster, who was one of the great constitutional lawyers of the land, he definitely stated, as contended by counsel today, that the General Welfare Clause was not an affirmative provision of the Constitution authorizing any act whatever. What is the general welfare? I would daresay that the 30 tyrants of Athens thought they were acting in the general welfare of Athens.

I would daresay that the Imperial Caesars, at times at least, thought they, too, were acting for the general welfare.

General welfare is what we think it is; and if you are doing what you believe to be the best, then you may be doing it for the general welfare. If we adopt general welfare as part of the Constitution authorizing us to act on laws, we do away with the Bill of Rights. If you pass a law prohibiting the freedom of the press, and can get a judge to hold that it is in the interest of the general welfare, what becomes of that limitation in the Constitution? If you pass a

law doing away with freedom of religion, and you can get a judge to hold that it is in the interest of general welfare, what becomes of that guarantee of the Constitution?

General welfare has no place as an affirmative part of the Constitution, any more than if we had said when we adopted the Constitution that the good of the people shall be one of the moving purposes of the Congress.

When everything moves well, when the law is enforced and people prosper, we have general welfare; and that is what the Constitution was talking about.

Not only does Mr. Curtis in his History of the Constitution say it, but so does Mr. Norton in a more modern treatment of the Constitution.

President Monroe takes the same view; so does Andrew Jackson.

The General Welfare Clause of the Constitution is not an affirmative part of the Constitution, and if it is then all of the balance of the document has gone by the board and we have a government of men and not a government of law.

Coming now, then, to a third proposition: The government has not made a case against this defendant. It has charged him with violating the Agricultural Marketing Act. Take all of the exhibits that have been offered here, and what are they called? Marketing acts, they are not production acts. All he has violated is the rule against production. He marketed nothing; he sold nothing. He produced something and he fed it to his own livestock. As Justice White said, it might enter interstate commerce, but no one knows that the cows that ate the wheat entered interstate commerce. That which is produced is not commerce. No, not until it is made such.

What is commerce? Take your best text on the subject. We have copied one here:

Commerce strictly consists in the intercourse, including the terms and negotiations and transportation, like the transit of property and persons, as well as the purchase and the sale and the barter of com-

modities—being in, Re Green, 52, Fed. 112, and other authorities.

Has this man had anything to do with commerce? Only in production. You have to extend the law to production in order to administer any punishment in this case:

... But congress certainly has not the power or authority under the commerce clause, or any other provision of the constitution, to limit and restrict the right of corporations created by the states, or the citizens of the states, in the acquisition, control, and disposition of property. Neither can congress regulate or prescribe the price or prices at which such property, or the products thereof, shall be sold by the owner or owners, whether corporations or individuals. ... Commerce among the states, within the exclusive regulating power of congress, "consists of intercourse and traffic between their citizens, and includes the transportation of persons and property, as well as the purchase, sale, and exchange of commodities" — 52 F. 112, 113.

... The word "commerce," as used in the statute and under the terms of the constitution, has, however, a broader meaning than the word "trade." Commerce among the states consists of intercourse and traffic between their citizens, and includes the transportation of persons and property, and the navigation of public waters for that purpose, as well as the purchase, sale, and exchange of commodities — County of Mobile v. Kimball, 102 U.S. (697), 702. 62 F. 841.

Moreover, a subject that was not discussed appealed to me. The farmer Clements who lived next to the defendant testified that defendant did plant wheat. He also testified that he had a farm and could plant 15 acres of wheat. "What do you plow with?" "With a tractor that cost \$1,000; with a distributor that cost \$750.00; with a reaper that cost \$950.00" — and what has he got to pay it back with? The profit of 15 acres of wheat.

We asked the first witness that testified in the case, Mr. Rainwater,

Can a man support his family, pay for his equipment and own a farm under such regulations?

And I might say to the credit of the witness he agreed he could not, and the results are abundantly shown that he cannot. Just take the country over, in 1940 there was a census taken. In 1950 there was another census taken. This farm is in Oklahoma. Those farms

have reduced in number considerably during that ten years. The population in the whole state of Oklahoma has decreased during those ten years by 4 per cent. Arkansas decreased nearly as much, North Dakota almost as much. Mississippi farm population decreased, and most of the agricultural states were able to hold their own by having some large industrial cities within their boundaries.

Not only with the other states, but let us come close to home. Let us walk over the line into Kaufman County, and what happens in Kaufman County, Texas? Between 1940 and 1950 the farm population decreased from 26,000 to 16,000.

Well, go back to Red River and Lamar County. In 1940 the farm population was 31,000 and in 1950 it was 21,000. The farmers were gone.

In Navarro County the farm population in 1940 to 1950 shrank from 20,000 to 16,000.

In east Texas, the old settlement of Nacogdoches shrank in that ten years from 27,000 down to 17,000.

Cass County shrank from 33,000 down to 22,000.

It was offered in evidence here something on the trend since 1950, during the last seven years. This is compiled on the Texas farm population by the Texas Agricultural Experiment Station, at A & M College. According to estimate, based on a statewide survey conducted by the State Agricultural Experiment Station and the Agricultural Marketing Service of the United States Department of Agriculture, 1,018,000 people were living on farms in 1957. Just seven years previous the farm population was 1,387,000. Thus the number of farm residents has decreased by 369,000 during seven years, or a decrease of 26 per cent-plus in these years. This in addition to loss between 1940 and 1950.

I can understand the vision that was in the mind of Goldsmith when he said:

*Ill fares the land where hastening ills prey;
Where wealth accumulates and men decay.
Princesses and lords may flourish or may fade,
A breath may make them, a breath has made,*

*But a bold yeomanry, a country's pride,
When once destroyed, can never be supplied.*

Public policy — while not the intent of the Congress — the Agriculture Department has so construed its powers it has created a practice which is against public policy and is unlawful. A public policy which is injurious to the entire people is unlawful. You cannot perform a greater injury to the American citizenship than to destroy even in part the agricultural population.

Whichever way you may look, the young man is not behind the plow. Before the regimentation of agriculture started, he was; but now, he can find better fields in industry; and the man that operates the farm has trouble in getting labor; he has to take the old man that industry won't use.

View it in another way: view it as Jefferson did when he advocated public education. He knew, as everybody knew, that when one man was to be taxed to educate another man's child, it was a socialistic idea, but it was justified, according to Jefferson, because it would insure the perpetuity of free government by reason of an intelligent suffrage; therefore, he felt it would be justified.

I sat at one time a few years ago with a very learned judge at a dinner table, and I regard him as one of the greatest jurists that ever graced the American bench. He asked me this question—he was discussing matters pertaining in part to elections—and he said:

We have a bloc who has one spokesman and that spokesman can cast 250,000 votes in the state, and that man can go to the headquarters of one political party and say, "If we give you our 250,000 votes how many members of the Legislature will you give us?" or "How many seats in Congress will you give us?" or "How many contracts with profit in them may we have?" and after making the best bargain he can, then he goes over to the next one to get them to raise the ante; and when he has peddled his 250,000 votes back and forth the public pays for the transaction.

The more blocs, the more groups that can be voted, the greater danger to the nation. The most independent thinking group that America has ever had has been the middle class of American farmers.

We learn from the evidence in this case that the upper group of farmers, those who are able to farm on a large scale, will survive; but the middle class and the lower class are selling their farms and going away.

I am thinking about an old school history, of another nation, the great civilization of France:

... peace prevailed; justice was impartially administered; industry flourished; the taxes were light; the towns practically possessed self-government; agriculture improved;...

But this age of prosperity was not to last....

... The small farms were one by one bought up by wealthy men, who converted them into extensive cattle and sheep pastures tended by a few slaves. Thus the independent peasant population was gradually driven off the land, and agriculture declined ...

—The Leading Facts of French History, by D. H. Montgomery, page 14.

The law, in fact, regulated everything. A man could not set a price on his own goods; the government did it for him. These oppressions destroyed all public spirit and desire for life — Montgomery's History of France, page 16.

I consider the interpretation of the Act given by the Department of Agriculture as being against public policy and as destructive of a great branch of our civilization, the agricultural branch.

In many places, more than half of them have been driven from their homes; and their houses are vacant. Start here and drive through Denton County, and then down through Ellis County and back to Hunt County, and those prosperous blackland counties, and go down through Kaufman County, and get off of the highways and see how many vacant houses there are. We wonder where all the people in the cities come from, but if you will go out there you will stop wondering. Fully half of the population of the rural districts are now residing in the cities.

All of this shows that the regimentation of the farm and this managerial revolution and these practices which prevail are bad; and our Congress would do well to read the testimony of Mr. Benson; they would do well to read

the record that has been made in this case; and then they should ask themselves if it is their purpose and their intention to wipe out entirely that provision of the Constitution that draws a distinction between interstate commerce and intrastate commerce, and to say that everything in the way of production is also commerce.

This man's only violation of any rule has been the violation of production and not of commerce. He has marketed nothing; he has sold nothing; and he has entered nowhere into the marts of commerce.

We will enter a judgment in favor of the defendant.

* * * * *

A Blow for Liberty

Lynn Landrum, columnist for the Dallas Morning News, said of Judge Davidson's decision:

His Honor has struck a blow for liberty which deserves to go down in history with the Magna Charta, with the Bill of Rights, and with the Constitution of the United States.

God bless the United States and this honorable court.

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Tax Eaters and Vote Buyers Are Worried

On September 8, 1958, the Department of Agriculture announced that cotton is being grown in the United States on the smallest acreage since 1876. The announcement also revealed that the 1958 per-acre yield of cotton is as high as the 1866 per-acre yield. This is the first time in the twentieth century that our per-acre yield of cotton is as high as the 1866 per-acre yield. Yet, the 12-billion-bale cotton crop forecast for 1958 will result in a huge surplus.

The 1880 census revealed that population in the United States was 50,155,783. Population in the United States on January 1, 1958, was 172,800,000.

What do these figures say? They say that today, with three times more population than we had 78 years ago, we are growing less cotton per acre on fewer acres of cotton land than we grew then. We didn't have any cotton surplus in 1880, but today we have a billion-bale-plus "surplus" that no one knows what to do with.

If the cotton crop of 78 years ago did not produce a surplus for a nation of less than 51 million people, why does a smaller cotton crop now produce a "depressing surplus" for a nation of more than 172 million people — considering the fact that American individuals today use more consumer goods than American individuals in 1880?

What has happened?

Government meddling has happened.

A September 14, 1958, Associated Press story, based largely on a speech by an official in the Department of Agriculture, said:

A hint of hopelessness is beginning to creep into discussions of federal farm officials about controlling and reducing agricultural surpluses. . . .

Administration farm officials blamed high price supports for the surpluses they inherited from the previous administration. They sought and obtained legislative authority to lower these supports. It was contended that if the government reduced the price incentive, farmers would produce less.

But for farm production as a whole, this theory has not worked too successfully. . . .

Then, too, markets have not expanded as much as officials had hoped. Big production abroad, coupled with trade restrictions, have been factors.

In other words, politicians, using tax money to buy farmers' votes, have violated the inexorable law of supply and demand in the United States. The federal government's farm programs, coupled with the federal government's programs of foreign aid and "reciprocal trade," have reduced cotton production in the United States and priced American cotton out of the world market, while subsidizing and encouraging greater cotton production abroad.

Our other major crops — such as wheat —

are in the same general condition, and for the same reason.

Judge T. Whitfield Davidson's decision in the Haley Case goes to the heart of this problem and indicates a way out: get the federal government out of the unconstitutional activity of subsidizing and managing American farms and leave farmers their God-given freedom to solve their own problems in their own way.

Inasmuch as federal officials are always "worried" and "distraught" and feeling "hopeless" about our agricultural problem; won't they welcome this light of truth and sanity that Judge Davidson has focused on the problem?

No, they won't.

On September 9, 1958, Congressman W. R. Poage (Democrat, Texas), vice-chairman of the House Agriculture Committee, said the Davidson decision would damage the farm program and make it more difficult to administer.

Congressman Poage's statement clearly revealed that the federal "agricultural program" is not even intended to help American agriculture generally. It is designed to help politicians like Poage: Poage can get votes from his particular agricultural constituents by promising them benefits that will directly hurt farmers and consumers and taxpayers in other areas.

Congressman Poage said:

People east of the Mississippi want cheaper wheat because they want it to go into poultry feed. This poultry would then be sent to market in competition with beef grown in Texas and other states west of the Mississippi.

On September 10, 1958, Department of Agriculture officials said they "could not afford" to let Judge Davidson's action go unchallenged.

What they mean is that if the Judge's decision stands, they — who wouldn't know how to run their own farms but think they know how to run farmers — would be out of jobs.

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